

OF  
**JOHN QUINCY ADAMS,**  
OF MASSACHUSETTS, UPON  
THE RIGHT OF THE PEOPLE, MEN AND WOMEN, TO PETITION;  
ON THE  
**FREEDOM OF SPEECH AND OF DEBATE**  
IN THE  
HOUSE OF REPRESENTATIVES OF THE UNITED STATES;  
ON THE  
**RESOLUTIONS OF SEVEN STATE LEGISLATURES,**  
AND THE  
PETITIONS OF MORE THAN ONE HUNDRED THOUSAND PETITIONERS,  
RELATING TO THE  
**ANNEXATION OF TEXAS TO THIS UNION.**

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Delivered in the House of Representatives of the United States, in fragments of the morning hour, from the 16th of June to the 7th of July, 1838, inclusive.

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1838.

## PREFACE.

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For the proper understanding of the following series of addresses to the House of Representatives of the United States, delivered in fragments of the morning hour from the 16th of June to the 7th of July, 1838, it is necessary to advert to certain previous proceedings of the House in relation to the annexation of Texas to this Union, and to some other subjects, having, or supposed to have, a close and inseparable connexion therewith.

On the 26th of May, 1836, the House, under the screw of the previous question, had adopted a resolution reported by a select committee, of which HENRY L. PINCKNEY, of South Carolina, was the chairman:

“That all petitions, memorials, resolutions, propositions, or papers, relating in any way or to any extent whatever to the subject of slavery, or the abolition of slavery, shall, without being either printed or referred, be laid upon the table, and that no further action whatever shall be had thereon.”

Petitions for the abolition of slavery and the slave trade in the District of Columbia and the Territories, for the prohibition of the internal traffic in slaves, and against the admission into the Union of any new slave State, to the number of about twenty thousand signers, had, at an early period of the session, been referred to the committee which reported this and two other congenial resolutions. The two others they had been *instructed* to report. Their motive for reporting the third was expressed by themselves to be, that it was “*extremely important and desirable that the agitation of this subject should be finally arrested, for the purpose of restoring tranquillity to the public mind.*”

This tranquillizing resolution was adopted at so late a period of the session, that, excepting the convulsive movement by which it was carried through the House, it had little effect, and it expired with the session; but so conspicuous were its sedative properties, that at the ensuing session (that of 1836-’37) it multiplied fivefold the anti-slavery petitions. After one or two abortive attempts to elicit from the House a refusal to *receive* such petitions, they were, on the 19th of January, 1837, all disposed of by repeating the gag-resolution of the preceding session.

The tranquillizing effect of this was not only to swell the flood of anti-slavery petitions, but to open the source of a new and abundant stream

of remonstrances against the resolution itself; to which remonstrances were added, before the close of the session, resolutions severely reprobating it, adopted by the Legislature of Massachusetts.

In the mean time the conspiracy for the dismemberment of Mexico, the reinstitution of slavery in the dismembered portion of that Republic, and the acquisition, by purchase or by conquest, of the territory, to sustain, spread, and perpetuate, the *moral and religious blessing* of slavery in this Union, was in the full tide of successful experiment. The battle of San Jacinto had been nearly cotemporaneous with the gag-resolution of 26th May, 1836. It had prostrated the power of Mexico in Texas, and surrendered the President of the Mexican Confederacy a captive to the chief of the Texian insurrection. The grasping spirit of slave-restoring rapacity, far from being discouraged by the repugnance and disgust with which the Mexicans of all parties had repelled every proposition for the purchase of Texas, had enlarged the dimensions of the coveted territory, till it comprehended not only the whole course of the Rio del Norte, including Santa Fe, but had taken a sweep of five degrees of latitude across the continent, to include the *convenient* port of San Francisco, on the Pacific ocean.\* The constitution of the Republic of Texas had consecrated the blessing of ETERNAL SLAVERY, by interdicting even to their Legislature the power of emancipation. Mexico was amused with a new convention for surveying and marking the boundary line, and with promises of neutrality between her and Texas. General Gaines was authorized to invade the territory of Mexico. An Envoy Extraordinary was sent from Mexico in solemn mission to Washington, to complain of these proceedings; in return for which, after refusing all satisfaction for this act of war, a thundering message was on the 6th of February, 1837, sent by the President of the United States to Congress, trumping up a bundle of individual claims and petty vexations, well or ill founded, and most of them traceable to the popular resentment and hatred excited by this double-dealing policy on our own part, and recommending a last solemn mission to Mexico to demand satisfaction for these wrongs, and then an authority to the Executive to make reprisals.

Simultaneous with this movement was another, by which, against the grave and cautious warnings of prudence, and justice, and neutrality, by repeated Executive messages, the recognition of the independence of Texas was, on the last day of the session and of the Jackson Administration, smuggled through both Houses of Congress, and approved by the President, in the form of an appropriation for a diplomatic func-

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\* See letter from Mr. Forsyth to Anthony Butler, of 6th August, 1835.

tionary, who on that same midnight hour was nominated by the President and confirmed by the Senate of the United States.

This measure, thus precipitated for the purpose of hastening and facilitating the annexation of Texas to this Union, was, in the wise and just decrees of Providence, destined to raise, perhaps, the most effective obstacles to its consummation. Just before the warlike message of the 7th of February, the captive Mexican President had been released by his Texian conqueror, and sent to Washington, to negotiate in person the cession by Mexico of Texas to the United States of the North. This negotiation, which commenced by correspondence in writing, apparently failed only because the Mexican Congress had formally decreed and notified a total suspension of his official powers during his captivity. The acquisition of Texas by purchase from Mexico having thus become desperate, the next step towards obtaining it was by acknowledging the independence of Texas, and at the same time fretting the people of this Union into a war with Mexico, making with Texas a common cause against her, and thus extorting by conquest what it had been found impracticable to obtain by negotiation. And when once engaged with Texas against Mexico, the annexation of the new slave-ridden Republic to this Union was foreseen as bearing upon us with a pressure which nothing could resist.

But it was essential to the success of this system of policy, that it should continue to be pursued by indirect means and with a double face. Immediately after the formal recognition of Texas as an independent State, the Legislature of that Republic, instructed by the People, directed their President (Houston) to make application to the Government of the United States for admission to this Union. This application was accordingly made, by a Minister Plenipotentiary, Mr. Memucan Hunt, precisely at the time of the meeting of Congress at their special session in September, 1837. The proposal had been made by a note from Mr. Hunt dated the 4th of August, and declined by the answer of the Secretary of State, Mr. Forsyth, on the 25th of that month, only one week before the meeting of Congress. No notice whatever of this transaction was taken by President Van Buren in his message to Congress of the 1st of September; nor would the nation have known that such a negotiation existed, but for a call by the House of Representatives, on the 13th of September, upon the President, for information whether a proposition had been made, on the part of the Republic of Texas, for annexation; and, if so, what answer had been returned thereto.

By another call, on the same 13th of September, the House had required of the President, as far as might be consistent with the public interest, an exhibition of the correspondence with the Mexican Govern-



ment concerning the boundary between the United States and Mexico, and concerning any proposition for a cession of territory from the Mexican Confederation to the United States. In answer to this call, a scanty communication was returned of correspondence relating to the boundary, from which all the despatches of our diplomatic officers accredited to the Mexican Government were withheld, on the avowed ground that they came within the exception conceded in the call. From the report of the Secretary of State (Mr. Forsyth) to the President, accompanying the documents communicated in answer to this call, it appeared, further, that of the only direct and formal argumentative proposal ever addressed to the Mexican Government, urging a change of boundary from the Sabine, and contained in a note from Mr. Butler to the Mexican Secretary of State, of 15th July, 1832, no copy was ever transmitted by him to the Department of State, and that there is no draught or record of it in the archives of the legation of the United States at Mexico.

The answer of the Secretary of State to the proposal of Mr. Memucan Hunt of the annexation of Texas to the United States, though formally negative, was in nowise discouraging to the new Republic. There was a very distinct avowal, that so long as Texas should remain *at war*, while the United States should be at peace with her adversary, they could not listen to the proposition for annexation. A profound reverence for their *treaty* obligations to Mexico was professed, contrasting rather humorously with the late President's call for powers of contingent reprisals six months before, and with the militant message of President Van Buren three months later. A constitutional scruple as to the power of Congress to annex the People of a foreign independent State to the Union was "just hinted," but by no means in terms so strong as Mr. Jefferson had used to disclaim the power of Congress to merge the People of Louisiana into the mass of the People of the United States, under the charter of national independence. It would, indeed, have been impossible to express a refusal in terms better suited to be construed into assent, than was exemplified in the answer of Mr. Forsyth to Mr. Hunt.

But the extraordinary obliquity of the proceedings of the federal Executive, in their relations with Mexico and Texas, had at length roused the anxious attention of the free People of the Union. It was generally known, though in no authentic form, that President Jackson had, from the commencement of his administration, been constantly stimulated by slave-dealers, land-jobbers, and speculators, to the acquisition of Texas, till he had been deluded into the belief that it would be the crowning glory of his administration. No communication of this intention was ever made by him to Congress; on the contrary, a system

of mystery and of secrecy had been constantly adhered to by him on the subject, to such an extent that a resolution, offered on the 17th of May, 1836, and repeated on the 24th of the same month, in the House of Representatives of the United States, calling for information concerning any overture by him to the Mexican Government for the acquisition of any portion of their territory, was twice evaded by the influence and votes of his most devoted partisans. The interminable negotiations, incessantly renewed and never concluded, with Mexico, for surveying and drawing the line of boundary stipulated by the treaty of 1819, and recognised time after time by both parties; the sympathetic and corresponding movements of the Texian insurrection and of the North American Executive Administration; the importunate eagerness of the slave representation, combined with the Texian land-jobbing interest, in Congress, to precipitate the recognition of Texas; and perhaps more than all, the *inadvertent* disclosure of the authority to General Gaines to invade the Mexican territory—an outrage no less upon the war-declaring power, reserved by the constitution to Congress, than upon the laws of peace with a neighboring nation—had excited in the States consisting only of freemen a very extensive alarm. At the special session of Congress, besides the anti-slavery petitions, far more numerous than they had ever been before, there were presented multitudes specially remonstrating against the annexation of Texas. They were all easily disposed of at that session, by a resolution of the House discarding from consideration all subjects other than those specially recommended by the message of the President. All petitions and memorials upon every other subject were therefore laid, of course, upon the table, to be taken up in order at the regular session.

At that session the anti-slavery petitioners and remonstrants were increased to a number exceeding two hundred thousand.

On the 20th of December, 1837, Mr. SLADE, of Vermont, moved that a petition of upwards of five hundred men and women, citizens of that State, which had been presented by him, should be referred to a select committee, with instruction to report a bill providing for the abolition of slavery and the slave trade in the District of Columbia.

While Mr. SLADE was supporting this motion, in the regular course of debate, a question of order was made by a member of the slave representation from South Carolina; and, by an arbitrary decision of the Speaker, Mr. SLADE was pronounced out of order. Most of the members of the slave representation left their seats and the House; and, at the moment of the adjournment, a verbal notice was given by another member from South Carolina, that a meeting was then assembled in one

of the committee-rooms of the Capitol, at which the *members from the slaveholding States* were requested to attend.

This meeting, in which no member from a non-slaveholding State was admitted to participate, but in which the members of the slave representation in the Senate took part in common with those of the House, prepared and adopted a gag-resolution, in substance the same with that of the two preceding annual sessions; and they appointed Mr. PATTON, a member of the House from Virginia, to present it to the House, and at the same time to move the previous question upon its adoption. It was accordingly presented to the House the next day, admitted by a suspension of the rules, debarred from all deliberation by the previous question, and carried by yeas and nays, 122 to 74; of which majority 51 members were from non-slaveholding States, who received and voted for this resolution, as dictated by the Southern conventicle of Senators and Representatives, without having been permitted to share in the deliberations of the meeting by which it had been prescribed.

From thenceforward, all petitions, memorials, and papers, relating to the abolition of slavery or the slave trade, were laid on the table, without being debated, printed, read, or referred; and under that order about two hundred thousand petitioners were refused a hearing by the House.

This resolution was understood not to include the petitions, remonstrances, and memorials, against the annexation of Texas to the Union; but as most of these did touch the abolition of slavery, and the buying, selling, and transferring of slaves, whenever any such paper was presented, some slave Representative moved it should be laid on the table, which motion the standing majority of the House always sustained; and thus summarily were the prayers of about one hundred thousand more petitioners disposed of.

Resolutions of the Legislature of the State of Rhode Island, remonstrating against the annexation of Texas, were presented on the 29th of December, and laid on the table. They were not printed on the Journal of the House, as by a practice without exception till then had always been done.

On the same day, a petition from inhabitants of Newport, in the State of New Hampshire, was presented, praying Congress to recognise the independence of Hayti. It was referred to the Committee on Foreign Affairs, who never reported upon it at all.

The resolutions from the Legislature of the State of Vermont were presented on the 14th of February. They not only protested against the annexation of Texas to the Union, but declared that Congress have full power to abolish slavery and the slave trade in the District of

Columbia and the Territories, and to prohibit the internal traffic in slaves. They were not permitted to be read, but, with singular and absurd inconsistency, they were *printed* on the Journal, and there declared to be laid on the table under the resolution of the preceding 21st of December, which expressly prescribed that no such paper should be printed.

On the 5th of March two sets of resolutions were presented: one from the Legislature of Alabama, in favor of the annexation, and the other from that of Ohio, protesting against it. One of the resolutions of the Legislature of Ohio directed that the Governor of the State, in transmitting copies of the resolutions, should be requested to accompany it with a statement of the votes by which it was passed in each branch of the Legislature. The Governor's letter, accordingly, stated that the vote was without opposition in one branch, and unanimous in the other. To such straits were the party of suppression reduced to sustain their system, that they refused permission to the member from Ohio, who presented the resolutions, to *read* to the House this letter from the Governor.

On the 26th of March Mr. NOYES, of Maine, presented a remonstrance of thirty-one citizens of Lubec, in that State, against the annexation of Texas to the Union, and moved its reference to the Committee on Foreign Affairs. For once, the vigilance of the dark spirit of slavery was at fault—the motion to lay on the table was forgotten, and the remonstrance was referred. The committee never looked into it.

On the 16th of April Mr. SHIELDS, of Tennessee, presented resolutions of the Legislature of Tennessee, urging with great earnestness the annexation of Texas to the Union, and requesting the Senators and Representatives of the State, in Congress, *to introduce them to the consideration of both Houses of Congress.*

Mr. SHIELDS moved that these resolutions, together with all other resolutions from State Legislatures upon the same subject, and the memorials and petitions presented to this House at the present Congress in relation to the admission of Texas into the Union of these States, be referred to a select committee.

Mr. BRONSON, an administration member from the State of New York, moved to lay the motion of Mr. SHIELDS, and the resolutions of the Legislature of Tennessee, on the table; which was carried by a vote of 122 to 74—as nearly as possible the same as that upon the gag of 21st December, but not by the same votes. In this case, the members from Tennessee, Alabama, and South Carolina, generally, and several members from Kentucky, Virginia, and North Carolina, voted against laying on the table, who had voted for the gag; while, on the other hand, a considerable number of members (nineteen) from the free States, who had

acted against the gag, now voted to lay the motion of Mr. SHIELDS and the Tennessee resolutions on the table. Their motive, doubtless, was a distrust of the committee which would be appointed by the Speaker upon resolutions urging the annexation, and coming from the Legislature of his own State. But here was the dawn of a new day. It was evident that henceforth the members from the States whose Legislatures have adopted resolutions *favoring* the annexation would vote for opening the discussion, and it was equally clear that the Texas question once opened, the gag upon the slavery topics could no longer be effectively maintained.

On the 21st of May the resolutions of the Legislature of Massachusetts, solemnly protesting against the annexation of Texas, were presented to the House by Mr. BRIGGS; and, after some discussion, referred to the Committee on Foreign Affairs, who never looked into them.

On the 25th of the same month all the other resolutions of State Legislatures, and all the petitions, memorials, and remonstrances, relating to the same subject, which had been received by the House and laid upon the table, were referred to the same committee.

And on the 13th of June, Mr. DROMGOOLE, of Virginia, a member of the committee, presented the report of the majority of the committee upon these resolutions of seven State Legislatures, and those petitions, memorials, and remonstrances, of more than one hundred thousand petitioners:

#### “ANNEXATION OF TEXAS.

“Mr. DROMGOOLE, from the Committee on Foreign Affairs, upon the subject of the annexation of Texas to the United States, reported, that there is now no proposition pending in this House either for the admission of the Republic of Texas as a State into the Union, or for its territorial annexation to the United States. ?

“The committee do not deem it advisable to recommend any action on the part of the House of Representatives calculated to prejudge any such proposition, should it hereafter be formally submitted for decision, or to forestall public sentiment in relation thereto. In consideration whereof, the following resolution is reported:

“*Resolved*, That the Committee on Foreign Affairs be discharged from the further consideration of the whole subject, and that all the papers relating thereto, and to them referred, be laid on the table.

“Mr. CUSHING called for a division of the question, so that it might be first taken upon that part of the report which proposed to discharge the Committee on Foreign Affairs. Mr. C. dissented from the report entirely, and should, before he sat down, move a recommitment, for the purpose of having the subject more deliberately and argumentatively presented to the House. It was due to the country and the subject. The preamble says there is no proposition before the House for the annexation of Texas to the United States. This might be technically, in strict parliamentary language, correct; since there was not any motion or resolution pending in the House for the annexation of Texas. But Mr. C. denied that this was in substance correct. Three States of this Union (Tennessee, Alabama, and Mississippi) have passed resolutions for the admission of Texas into the Union; and of two at least of these States, the resolutions have been presented here, and are in the possession of the House. In addition to which, Texas herself had applied to the United States for admission. This proposition was pending now, and in force; and not, as the late report of the Secretary of State would seem to intimate, withdrawn from the cognizance of the Government. By the very latest intelligence from Texas, the Senate of that Republic had distinctly refused to withdraw the application. Now, some gentlemen might think that this ap-

plication was within the cognizance of the Executive only, as in the first instance. Mr. C. maintained the contrary most positively. Congress, the House, the People of the United States, were under no obligation to wait in such a matter for the initiative of the President in regard to it. We, the Representatives of the People, have the same power and right as the President to act upon it in the initiative. He might not be disposed to *do right*. It was the duty of the House to see to the interests and the rights of the People upon this vital question. The Constitution does not give to the Executive any power to admit new States. It is for Congress to do it, so far as the power resides any where. Let Congress, let the House, speak, and speak out, in the face of the country and world.

"Furthermore. Three of the States (Ohio, Michigan, and Massachusetts) have sent here resolutions solemnly remonstrating against the annexation of Texas. It is due to those three States, also, to express our opinions frankly on the subject. It was due to the thousands upon thousands of petitioners, whose petitions on this subject load the table, to express our opinions. They ask it, they demand it, they have a right to it. How long is this House to fold itself in the mantle of its dignity, covering itself up in darkness, refusing to utter its opinions, suppressing opinions and debate, disdaining, as it were, to meet the People fairly in the light of day, manfully and honestly, as becomes their Representatives? Mr. C. insisted upon the duty of the committee to make a full, argumentative report. He would not undertake to discuss the merits of the question. He was conscious it would be out of order, and he had no disposition, on this or any other question, to debate out of order. But he desired to see a full report, and therefore he submitted the following motion:

"That the report be recommitted to the same committee, with instructions to make report thereon in full, as to the merits of the questions presented by the resolutions of the Legislatures of the several States of Tennessee, Alabama, Michigan, Ohio, and Massachusetts, and of the various petitions before the House on the subject of Texas.

"Mr. CARTER, of Tennessee, said he differed entirely from the gentleman from Massachusetts, as to this subject. Although his (Mr. CARTER's) own State Legislature had memorialized Congress on this question; yet his own course thereupon in this House had gone to show that his opinions did not correspond precisely with those of his Legislature upon this point. He doubted the expediency of annexing Texas to the Union.

"The CHAIR reminded the gentleman from Tennessee that this question was not now before the House.

"Mr. CARTER said he had only intended to express his own opinion, and to show that he was acting disinterestedly. No question was then before the House for the annexation of Texas, except as incidentally raised by the presentation of memorials, legislative resolutions, &c. Nor could it be fairly a question for the House to consider till a report from a committee had been made thereon.

"Mr. C. would say to the gentleman from Massachusetts, why not bring forward a counter report on this subject, if dissatisfied with the report of the committee? He would warn that gentleman that this was a question that would agitate the country from Maine to Georgia, and that the result of that agitation might not be such as that honorable member might perhaps prefer. Therefore he thought that the committee, in offering the resolutions they had done, had acted a prudent and proper part. Were the gentleman to have brought forward a counter report, the question would then be fairly raised for the House and the country to decide; but at present no such question was before the House.

"The subject was a perplexing one. It was already agitating the country, and the more it was discussed the more it would agitate the land. It had been with difficulty that the whole mass of the Southern community have been restrained from petitioning Congress in favor of the annexation. Mr. C. again repeated what were his individual opinions on this question; and said that, if instructed by his constituents to vote contrary to those opinions, it being a matter of expediency, he should do so. In the absence of instructions, he held it to be equally his duty to vote according to the best of his judgment. But he did beg the gentleman from Massachusetts [Mr. CUSHING] not to embarrass this motion of the committee. Let him bring in, if he thought proper, a counter report.

"Mr. CUSHING here remarked that, under the circumstances attending the introduction of the report of the majority, it had been impossible for him to prepare a counter report.

"Mr. DROMGOOLE said that no proposition for a minority report, or any thing of the kind, had ever been made in committee.

"Mr. ADAMS asked if the numerous legislative resolutions, and the memorials of thousands and tens of thousands of the citizens of this country, in relation to this subject, had ever received five minutes' consideration in the Committee on Foreign Affairs.

"Mr. DROMGOOLE said he had but one answer to make to this question; which was, to deny explicitly any right of that member, or any other member, to catechise the committee as to its action.

"Mr. ADAMS immediately rose, (amidst varied cries of "order!" "go on!" &c.,) and said: That is enough, sir! That, sir, is enough for this House, and for the country. The committee refuse to answer. [Much confusion.]

"Mr. CARTER proceeded, and urged the adoption of the resolution reported by the committee.

"Mr. PICKENS said he concurred in the motion of the honorable gentleman from Massachusetts, [Mr. CUSHING,] to recommit, with instructions to report some proposition for the action of the House. He was for meeting this question boldly, frankly, firmly. He could not agree with the honorable gentleman from Tennessee, [Mr. CARTER,] as to the effect of agitating this question. He did not dread such agitation. He was for letting it go on. It would not be the first question that had agitated the American People. He desired to meet it, and at once. He was for letting the country see who was for and who was against his People. The Legislature of his own State, as well as that of his friend's State, (Tennessee,) and those of several other States, had sent up hither their resolutions upon the question. It was agitated on the other side, all over the non-slaveholding part of the country, and by their Representatives upon that floor, for months past. It was time to meet it; it was time to take a decided and bold stand upon it. As a distinguished member [Mr. ADAMS] of the Massachusetts delegation had said on a former occasion, it was a question of union or disunion.

"The SPEAKER reminded the gentleman from South Carolina that he was straying from the question before the House.

"Mr. PICKENS repeated that he desired to meet this great question at once; and that, therefore, he was in favor of Mr. CUSHING's motion to recommit, with instructions. He desired that the country should know the true position of the question. One thing was very certain; if this Government did not exercise a control over Texas, Great Britain would.

"The SPEAKER again called to order.

"Mr. PICKENS concluded by urging the adoption of Mr. CUSHING's proposition.

"Mr. CUSHMAN said that a proposition to annex an independent Republic to this Union should properly come from that Republic. No such proposition had been made to that House. For the purpose of arresting what he thought was a debate altogether irregular, he would move the *previous question*. [Laughter.]

"Much confusion then ensued; and Mr. PICKENS remarked, 'that is a test question!' and Mr. ADAMS asked the mover to withdraw the motion, to allow him to reply to the argument with which the motion had been prefaced by himself, [Mr. CUSHMAN.]

"Mr. MERCER asked what would be the main question; to which the SPEAKER replied, on the adoption of the resolution offered by the Committee on Foreign Affairs, to discharge that committee from the further consideration of the subject.

"The vote on seconding the motion for the previous question stood, ayes 74, noes 81; so there was no second: and the question recurred upon the resolution offered by Mr. CUSHING, to recommit, with instructions. (See above.)

"Mr. HOWARD then took the floor; but the hour appropriated to morning business having elapsed, the House, on motion, took up the order of the day, and went into Committee of the Whole (Mr. CRAIG in the chair) upon the pre-emption bill."

The following are the proceedings of the House on the 14th of June, as reported in the National Intelligencer of the 15th:

#### "TEXAS.

"The House then resumed the unfinished business of yesterday morning.

"And the question being on the following resolution, reported yesterday by Mr. DROMGOOLE, from the Committee on Foreign Affairs:

“ ‘Resolved, That the Committee on Foreign Affairs be discharged from the further consideration of the whole subject, and that all the papers relating thereto, and to them referred, be laid on the table’—

“ And on the amendment thereto by Mr. CUSHING.

“ Mr. HOWARD rose, but yielded the floor at the request of

“ Mr. W. THOMPSON, who moved to amend the amendment as follows :

“ Strike out all after ‘instructions,’ and insert ; ‘To report a joint resolution, directing the President to take the proper steps for the annexation of Texas to the United States, as soon as it can be done consistently with the treaty stipulations of this Government.’

“ Mr. HOWARD said that he regretted that the proposition of the gentleman from New Hampshire [Mr. CUSHMAN] for the previous question had not been sustained yesterday by the House. He could not anticipate a single good result from the prolongation of a general debate upon the subject of Texas, but, on the contrary, many evils, even greater than the useless consumption of valuable time. As the vote of the House, however, had been against the previous question, he had risen yesterday to vindicate, as far as he could, the Committee on Foreign Affairs from the implied charge of failure to perform a duty intrusted to them by the House. The amendment now offered by the gentleman from South Carolina [Mr. THOMPSON] gives to the question an entirely new aspect, and he would be compelled to digress from what had been his sole, and still was his main purpose, in order to make some remarks upon the new state of the case. The House was master of its own actions, and could, no doubt, originate a proposal for the annexation of Texas to the United States ; but a committee could only act upon the matters referred to them, and he intended to show that no proposition had been heretofore before the House, and, consequently, the committee could have made no other report, with propriety, than the one which they had made. A reference to the Journal would show that, at an early period of the session, the House had, by the decisive vote of 127 to 68, (five more than a majority of the entire House,) determined to lay upon the table all memorials upon the subject of Texas. All committees ought to regulate their action by the expressed will of the House. He thought this position would not be disputed. The subject would, therefore, have slept upon the Clerk’s table, if a petition, presented afterwards by one of the delegation from Maine, [Mr. NOYES,] had not been referred to the Committee on Foreign Affairs, when the attention of the House was not called to it. Jurisdiction having been thus given to the committee by the reference of this straggling petition, there ceased to be any objection to the adoption of a resolution offered by the gentleman from Massachusetts, [Mr. ADAMS,] sending to them the entire mass of petitions from individuals, the magnitude of which might be measured by cubic feet, and, also, the resolutions of several Legislatures, which had expressed their opinions upon the subject. But he did not consider these papers as raising a question. They were only intended, he thought, to bear upon the question after it was raised in some other way. At the extra session we had printed and circulated a large edition of the correspondence between Mr. Forsyth and General Hunt, and, although the proposition for annexation was not entertained by the President, yet there was a reasonable ground for supposing that the subject might be renewed, and all these evidences of public opinion were probably prepared to meet the contingency when it should happen. But it had not happened. The documents before us show that it had not. On the 4th of August, 1837, General Hunt addressed a letter to the Secretary of State, proposing the annexation of Texas to the United States ; and in his reply of the 25th of August, Mr. Forsyth not only declines the proposition, but even *declines to reserve it for future consideration*. No language could be more explicit than this. It was impossible to mistake it. The Minister Plenipotentiary of Texas, in his answer of September 12, showed that he did not mistake it, as will be evident from the following paragraph :

“ ‘The undersigned most respectfully assures the honorable Mr. Forsyth, and, through him, his Excellency the President of the United States, that the prompt and decisive rejection of the proposition for the annexation of Texas to the United States will not be imputed to an unfriendly spirit towards the Government and People of Texas.’

“ The prompt and decisive rejection of the proposition. It was, indeed, so. There was no proposition, therefore, pending before the Executive branch of the Government,



and, of course, this House had none before it, derived from the documents communicated by the President. From what quarter, therefore, could any proposition have come, so as to place before the committee a subject upon which they could act? There was none from Texas, and he thought there was none either in the resolutions of Legislatures, or petitions of individuals, which had flooded the House in such numbers.

"At this point the morning hour expired, and the discussion went over to to-morrow."

But note that the motion to recommit the report with certain instructions was made by Mr. CUSHING, not as an amendment to the resolution reported by the majority of the committee; and that the resolution moved this day was as an amendment to the resolution of Mr. CUSHING. It was made by Mr. WADDY THOMPSON, of South Carolina, and brought the question, both of the constitutional power of Congress, and of the expediency of annexing Texas to the Union, directly before the House.

The proceedings on the 15th of June, rendered memorable by the speech of Mr. HOWARD, chairman of the Committee on Foreign Affairs, were as follows:

#### "ANNEXATION OF TEXAS.

"The report of the Committee on Foreign Relations concerning the Texas question being resumed—

"Mr. ADAMS, by leave, made a motion to recommit the report to the Committee on Foreign Relations, with instructions to report the following resolutions:

"*Resolved*, That the power of annexing the People of any independent foreign State to this Union is a power not delegated by the Constitution of the United States to their Congress, or to any department of their Government, but reserved by the People.

"That any attempt by act of Congress or by treaty to annex the Republic of Texas to this Union would be a usurpation of power, unlawful and void, and which it would be the right and the duty of the free People of the Union to resist and annul."

"Mr. HOWARD said that he concurred entirely in the report which the gentleman from Virginia [Mr. DRUMGOOLE] had made on behalf of the Committee on Foreign Affairs, which recommended that all the papers relating to Texas should be laid upon the table; and it might appear inconsistent in him to address the House upon a subject which that report, thus receiving his approbation, considered as not being before the House. But it would be remembered that on yesterday a motion had been made to recommit the report with certain instructions, the adoption of which would of course imply that the committee had erred in their judgment. It was, perhaps, his duty, certainly his right, to endeavor to show that the committee had not erred; and with this view, he had, on yesterday, referred to the correspondence between Mr. Forsyth and General Hunt, and deduced from it what he thought a clear inference, that no proposition was now pending before the Executive branch of the Government for the annexation of Texas to the United States. He had read the letter of the Secretary of State, *declining even to reserve the proposition for future consideration*, and the acknowledgment of General Hunt, that this was a *prompt and decisive rejection*. The gentleman from Massachusetts, [Mr. CUSHING,] who dissented from the report of the committee, had said (as he, Mr. H., found it in his printed speech) that 'this proposition was pending now, and in force; and not, as the late report of the Secretary of State would seem to intimate, withdrawn from the cognizance of the Government.' This, then, was the issue which the House had to decide. He could not, for his own part, conceive how a rejected overture could be still pending. Texas was certainly not bound by it. If the President should change his mind, and announce to the Minister from Texas that the proposition would be received and discussed, and should find that, in the mean time, Texas had entered into negotiations with England, or any other Power, could that Government be justly charged with a breach of faith? Certainly not. The answer to such a charge would be, that when the United

States promptly and decisively rejected the overture for annexation, Texas was left free to pursue whatever other course she chose; both parties were precisely in the same relative position as they were before the proposition was made. The conduct of Texas herself proved this. A treaty had since been made, (as we are informed in the papers, by the member of this House from Arkansas, upon authority which he considers unquestionable,) between the United States and Texas, for the arrangement of the boundary line between them; and certainly the conclusion of a treaty between two independent Governments was at variance with the attitude in which the gentleman from Massachusetts [Mr. CUSHING] desired to place them. There was, therefore, nothing before the House in the shape of a proposition emanating from Texas herself, upon which the House, or any committee, could act.

"Neither was there any specific proposition brought up by the memorial or resolutions of any Legislature of a State. He held in his hand the proceedings of the Legislatures of Massachusetts, Ohio, Tennessee, Alabama, and Michigan, which he would not analyze minutely, because it would occupy too much time; but he would content himself with saying that they all expressed their views in anticipation of the question when it should regularly come up, rather than their intention to bring it up. If any one should controvert this, he would endeavor to fortify himself by a particular examination of these documents. As to the numerous petitions of individuals, remonstrating against the annexation of Texas, he supposed that these persons would be satisfied as long as Texas remained out of the Union, and, at all events, until she again expressed a desire to come in. *Many of these petitions were signed by women. He always felt regret when petitions thus signed were presented to the House relating to political matters. He thought that these females could have a sufficient field for the exercise of their influence in the discharge of their duties to their fathers, their husbands, or their children, cheering the domestic circle, and shedding over it the mild radiance of the social virtues, instead of rushing into the fierce struggles of political life. He felt sorrow at this departure from their proper sphere, in which there was abundant room for the practice of the most extensive benevolence and philanthropy, because he considered it discreditable, not only to their own particular section of the country, but also to the national character, and thus giving him a right to express this opinion.*

"But the gentleman from South Carolina [Mr. THOMSON] has offered an amendment, which brings directly before the House the propriety of making an offer from the United States to Texas to receive that country into the Union. He would thank the Clerk to read it.

[The Clerk then read it, as follows:

"To report a joint resolution directing the President to take the proper steps for the annexation of Texas to the United States, as soon as it can be done consistently with the treaty stipulations of this Government."]

"It would be observed, that these steps were to be taken by the President, not immediately after the passage of the joint resolution, but at some future time, the same as that indicated by the Legislature of Alabama, who express a wish for the annexation 'as soon as it can be done without a violation of our honor as a nation, or any principle of international law.' The passage of such a resolution would, he thought, postpone the advent of the time which that gentleman wished to hasten. The ground upon which the President had rejected the overture of Texas was, that its annexation would be equivalent to a declaration of war with Mexico. And so it would. Mexico was at war with Texas, and blockading her ports. She had a right to do this, and we could not complain so long as the laws of nations were observed. But suppose that Texas were received into the Union, what would be the condition of things? Those would become the ports of the United States, and the territory of Texas become a part of the United States. Mexico would, therefore, be legally invading the territory of the United States, by sea and land, with every description of armed force, which was, *ipso facto*, war.

"The contingency contemplated by the amendment of the gentleman from South Carolina was, the recognition of the independence of Texas by Mexico; because, until that happened, no annexation could be made consistently with our treaty stipulations with Mexico. Now, if Mexico thought that the consequence of her recognition of Texas would be its incorporation into the United States, and thereby gratifying the wishes of Texas, that circumstance alone would of itself induce Mexico to refuse to make such recognition. The contingency, therefore, upon which the action of this

Government was to take place, would be postponed by the very passage of this joint resolution, producing an effect exactly the reverse of what the gentleman from South Carolina wished. He thought that the recognition of the Republic of Texas, a measure which that gentleman had advocated with great ardor and eloquence at the last Congress, had thrown an additional difficulty in the way of its final annexation. This opinion was freely expressed at the time, and he had seen no reason to change it. The effect had been this: to vary the question of constitutional power from that which was twice settled, in the purchases of Louisiana and Florida, and introduce a new one; thus depriving the friends of Texas of the benefit of two precedents, exactly in point, and throwing them upon argument alone, instead of argument and precedent united. If Texas had not been recognised as an independent Power, and been considered, even nominally, as a part of Mexico, and a treaty had been made between the United States and Mexico, by which the latter had ceded Texas to the former, (the consent of the People of Texas being first obtained,) the case would have been parallel with the treaties with France and Spain, by which we acquired Louisiana and Florida. Instead of this, the question now was whether we could absorb an entire nation by a treaty with that nation. As for himself, Mr. H. said, he could perceive no difference between the cases; but others, amongst whom was the honorable gentleman from Massachusetts, [Mr. ADAMS,] argued that great difference existed. Great doubt was expressed by many of our most distinguished statesmen whether the Federal Government had the constitutional power to acquire Louisiana under the treaty with France; and some of them had even admitted that it was a case beyond the Constitution, whilst they were still anxious that the United States should be rounded off in that direction. But when the case of Florida occurred, the difficulty was lessened; and the third instance would have been more easily accomplished than the second. Of this advantage the friends of Texas were now deprived, and had to meet a new question, instead of following in a track already trodden. He could not himself feel the force of the difference alleged to exist. The question turned upon the competency of the Federal Government to receive, under the Constitution, a portion of territory not belonging to the old thirteen United States; and he could not perceive that the nature of the Government which made the grant, whether republic or monarchy, the position, whether on this or the other side of the Atlantic, or the amount of land granted, whether a portion or the whole of the possessions of the granting Power, at all affected the question of the power to receive, which could be solved only by a reference to the Constitution of the United States. If we had power under that instrument to accept Louisiana and Florida from the Emperor of France and King of Spain, we must have the power to accept Texas from the People who owned it. The question was solely as to the power of the grantee to receive, and he could not see how the two questions of the person granting and amount granted could influence its decision.

"It had been said that the United States were once the possessors of the whole or a part of Texas, under the cession of Louisiana. He believed that this was correct, although he was not prepared to define the limit to which the claim extended. If this was so, we had once before purchased Texas, and sold it to Spain in the Florida treaty. What we had once constitutionally bought and sold, could we not buy again? If the former purchase was invalid, we must, in order to be consistent, relinquish Louisiana to France, and Florida to Spain, and restrict ourselves to the boundaries of the thirteen original States; but no one would advocate this. On the contrary, Louisiana would remain represented upon this floor, and he hoped Florida would soon be by her side.

"In order to illustrate his opinion that the adoption of the resolution before the House would be an anticipation of the subject, and therefore premature, he would refer briefly to the only three modes in which the President could execute the duty which it was proposed to require of him.

"Texas could only be annexed to the United States in one of these ways:

"1st. By the exercise of the treaty-making power.

"2d. By an exercise of the legislative power of the Federal Government.

"3d. By an amendment of the Constitution of the United States.

"It could scarcely be deemed proper for the House of Representatives to direct the President to make a treaty upon any subject with any Power. We might as well request the Senate to ratify or not to ratify a treaty, when submitted to that body by the President for their constitutional action, and such a measure, on the part of this House,

would strike every mind at once as a departure from every restriction which the Constitution has placed upon us. It would destroy that beautiful harmony established by our ancestors, and introduce in its stead a scene of irregular and ruinous exercise, in disorder and confusion, of those powers whose separation, and perhaps contradiction, like the centripetal and centrifugal forces of the universe, preserve order and beauty in the system. Should a treaty be made by the President and Senate, and this House be appealed to for appropriations, or other laws to carry it out, it must gravely weigh all the responsibilities of its situation before refusing so to do. He admitted that a power of refusal existed; but it was to be exercised only in the last resort; it was the extreme medicine of the Constitution. It was only when the safety of the nation was imminently endangered that the maxim would apply, and *salus populi* become *suprema lex*. But it was not necessary or proper to anticipate such a state of things. If it should occur, the House could then determine its course, without now, in advance, pledging itself to any course of measures.

"But in either of the other two modes of executing the duty, which the instructions required at the hands of the President, whether by an act of Congress, or an amendment of the Constitution, the House of Representatives would be called upon, necessarily, to perform its appropriate functions. Then, better than now, an expression of their wishes could be made. At present, there were disturbing and powerful causes at work, which he need not mention to the gentleman from South Carolina, the effect of which would be to decide this question upon motives, feelings, and interests, far different from those statesmanlike views which alone should govern the decision of this deeply important matter. The whole nation was in a state of agitation, working like a troubled sea. Whether this commotion would subside or not, and restore to the country that tranquility which was indispensable for the happy and permanent adjustment of important measures, his power of vision did not enable him to foresee. But he could discern plainly that the welfare of the entire People of the United States, unconnected with sectional feeling, would be the very last amongst the motives which would influence the House, if the vote were now taken upon the Texas question.

"Upon the propriety of the annexation he would not enter. He had carefully avoided bringing that subject before the House, as he thought its discussion premature. The few remarks with which he had troubled the House, upon a different point, would not have been made at all if he had not felt bound to sustain the report of the committee. He had been drawn into some observations, collaterally, because two amendments had been offered, changing the question, after he had taken the floor.

"Mr. PETRIKEN said that he considered that this question had occupied the time of the House already too long, to the embarrassment of important public business. There had been a speech on each side, and he should now move to lay the whole subject on the table.

"Mr. CUSHING asked the yeas and nays; which were ordered. He then asked the mover to withdraw his motion, to enable him to interpose a single word of personal explanation. He would renew the motion in the behalf of the mover.

"Mr. PETRIKEN, with this understanding, consented.

"Mr. CUSHING then begged leave to disavow any intention to cast any thing like censure upon the course of the rest of the committee, in offering his own proposition. This had been imputed to him by the gentleman from Maryland, who was chairman of the Committee on Foreign Affairs, [Mr. HOWARD,] and he took this opportunity to disavow it. He intended to express dissent, not censure.

"As he had promised, he renewed the motion of Mr. PETRIKEN, declaring, however, his intention to vote against it.

"Mr. PETRIKEN then said he would withdraw his motion.

"The CHAIR said that it was the motion of the gentleman from Massachusetts.

"Mr. CUSHING withdrew it.

"Mr. ADAMS had a word to say. On a former day he had asked a question of the member of the Committee on Foreign Affairs who reported this resolution, as to the length of time and the degree of attention bestowed by that committee upon the subject-matter of the large number of resolutions of State Legislatures, and of petitions of the People, referred thereto. This question had been met with a denial of the right of a member of that House to ask it. At the time he (Mr. A.) had said that the coun-

try, as well as himself, would draw its own conclusions from this reply. His present purpose was to ask the chairman of that committee if he and the rest of that committee held the doctrine that a member of that House, in the discharge of his public duties, had no right to make inquiries of a committee as to the mode in which they had discharged their duties? Does the chairman take that ground?

"Mr. DROMGOOLE here rose, and wished to ask a question of the Chair. Had a member of this House a right, under the rules, to propound such inquiries to a committee thereof?

"Mr. SHIELDS here asked if the hour for going to the orders of the day had not arrived?

"Mr. ADAMS renewed his inquiries of the chairman and the other members of the Committee on Foreign Affairs.

"Mr. HOWARD rose to reply.

"The CHAIR announced the orders of the day.

"Mr. HOWARD would prefer to reply at that time. There being no objection, he proceeded to say that, in making the report they had, the committee had acted under a sense of their duty to the House; and it was for the latter, as a body, to decide whether or not they had acted regularly in so doing. In reply to the gentleman from Massachusetts, he would say that he did go the whole length of the ground taken by his colleague of the committee, [Mr. DROMGOOLE,] who had brought in the report under consideration. He thought it disrespectful to a committee of that House for a member to catechise its members as to the precise time spent in the discharge of its duties, and the mode in which those duties were discharged. He stood by the gentleman from Virginia [Mr. DROMGOOLE] on this point.

"Mr. ADAMS rose amidst much confusion, occasioned by calls for the orders of the day, and other cries, from various parts of the Hall, and said that the gentleman from Maryland [Mr. HOWARD] had not chosen to meet the issue tendered him. He was interrupted by the CHAIR, who again announced the orders of the day."

Note, again, that the motion made by Mr. ADAMS, not by leave, but in the regular course of the debate, was as an amendment to the amendment proposed the day before by Mr. WADDY THOMPSON to the resolution offered by Mr. CUSHING. The motion was to recommit with instructions. Mr. THOMPSON proposed different instructions from those intended by Mr. CUSHING. Mr. ADAMS proposed instructions different from either of the others; and, being in the form of an amendment to an amendment, beyond which the rules of the House do not permit any further amendatory motion, they gave Mr. ADAMS the floor for the morning hour of Saturday, the 16th of June.

## SPEECH.

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SATURDAY, JUNE 16, 1838.

The report of the Committee on Foreign Affairs on the Texas subject, with amendments proposed thereto by Mr. THOMPSON and Mr. ADAMS, again coming up for consideration—

Mr. ADAMS rose and said: The proposition moved by my colleague [Mr. CUSHING] is to recommit the resolution reported by the Committee on Foreign Affairs, with certain instructions. I shall be entirely satisfied if the decision of the House shall be in favor of that proposition. My introduction of an amendment to the amendment now pending is only in consequence of the gentleman from South Carolina's having moved instructions to the committee to quite a different end from that sought by my colleague. I do not wish, in the present stage of the debate, to introduce the general question of the annexation of Texas to the Union. I particularly desire the House so to understand me. The proposition of my colleague is this:

"That the report and accompanying papers be recommitted to the same committee, with instructions to make report thereon in full as to the merits of the questions presented by the resolutions of the Legislatures of the several States of Tennessee, Alabama, Michigan, Ohio, and Massachusetts, and of the various petitions before the House on the subject of Texas."

His desire is, that the subject be recommitted, in order to have a deliberate report on the merits of the several resolutions of State Legislatures, and of the numerous private memorials, petitions, and remonstrances which had, at different periods of the session, been referred to the committee. That, also, is my desire. The resolution he offered does not involve the general question: it seeks only the recommitment of the subject, and of the various documents relating thereto, which have been sent to that committee, but which the committee have not taken into consideration.

I take it for granted, when the general question comes up, (unless we are again to have the previous question called upon us, and all debate smothered, as happened when it was up before,) the question will be divided, and taken first on the recommitment, and then on the different propositions of instruction, in their order. I now state that my only object, at present, is to recommit the subject to get a report upon it. It was in this view that I found it necessary to take issue with the gentleman from Virginia [Mr. DRENGOOLE] on the question of *the rights of this House, of the rights of members of this House, and of the rights and duties of the committees of this House.*

When the subject first came up, I rose in my place and inquired of the Speaker, not of the gentleman from Virginia, whether the committee had

given as much as five minutes' consideration to the several resolutions of the Legislatures of sovereign States of this Union, and the very numerous memorials and petitions of individual citizens which had been, by order of this House, referred to their consideration? When I put that question to the Chair, the gentleman from Virginia rose, and denied my right to do so, and declared that he would not be catechised by me. I said, at the time, that the reluctance of the committee to answer that question was, of itself, sufficient for me, and that I trusted it would be sufficient for this House and for the American People. It was a concession that the committee never had taken these papers into consideration at all. That, I trust, will be the deliberate conviction of the People of the United States.

But this inference is not enough. The gentleman from Virginia assumed a general principle as to the rights of this House, the rights of members of this House, and the rights and duties of committees of this House. My question was not personal to the gentleman from Virginia. I did not ask what consideration *he* had given to these documents; I asked whether the *committee* had considered the memorials of the thousands and hundreds of thousands of American citizens, and the solemn resolutions of the Legislatures of not a few of the States of this Union, which had been sent to them that they might be considered. The only answer is that of an individual, that "*he* will not be catechised." This is not the answer to which I was entitled; and I demand an answer yet. Until I get it, my inference will be that those documents never were considered by the committee.

When this question was up during the morning hour, yesterday, I had only time, as the hour was about expiring, to give notice to the House that I took an issue with the gentleman from Virginia on the great and important principle laid down by him touching the rights of this House, the rights of members of this House, and the rights and duties of the committees of this House. I was arrested by the expiration of the hour. I had time only to inquire of the chairman of the committee [Mr. HOWARD] whether he endorsed the principle laid down by his colleague on the Committee on Foreign Affairs. And I understood him to say that he went the full length of the ground taken by that gentleman. I then asked if there was any other of the members of that committee who took the same position. But before any response was given, the orders of the day were named by the Chair, and the subject was for the time cut off.

It was, at that time, my intention to ask each member of that committee, in order, whether he endorsed the doctrine of the gentleman from Virginia; but, on further consideration, I have concluded not to do so; and for this reason: that some of those gentlemen might probably find themselves in the situation of the honorable chairman—between a great principle of duty on the one hand, and, on the other, of party obligation to a personal and political friend; for to this moment I cannot believe that the chairman of that committee does, in his heart, assent to the soundness of any such principle as that to which he has committed himself.

Mr. DROMGOOLE here interposed, and asked whether Mr. A. would allow the other members of the Committee on Foreign Affairs now to answer his question. He had himself conversed with none of them since yesterday, so as to ascertain what their reply would be; but, after the

avement now openly made by the gentleman from Massachusetts, that some of them would probably find themselves in difficulty how to act between duty on the one hand, and party on the other, he did hope that all the members would be suffered to answer, each for himself.

Mr. HOWARD said that he concurred in this request of his colleague; he hoped the honorable gentleman from Massachusetts would assent to the request.

Mr. DROMGOOLE added that he hoped, if the gentleman from Massachusetts would not assent, that every member would insist upon his right to answer.

Mr. THOMPSON hoped no such thing would be done; this sort of proceeding was wholly unparliamentary and improper. He protested against such a waste of the time of the House.

Mr. LEGARE said that, for one, he was prepared to answer the gentleman's question, though he protested against his right to catechise the committee; and as soon as he could obtain the floor he should give the reasons why the committee declined being more explicit in their report, or entering on the merits of the general question. They were under no obligation to do so; and that for the reason stated in their report. He was fully aware of the importance and novelty of the general principle to which the gentleman was now speaking, and would give his views of it as soon as an opportunity should be allowed him to get the floor.

Mr. ADAMS. I did not distinctly hear the gentleman. I now understand him to decline answering my question.

Mr. LEGARE. What I said related to the committee. For myself, I have no hesitation in admitting that I have not read the papers, or looked into them, nor was I bound to do so.

Mr. ADAMS. I understand the gentleman from South Carolina now formally to admit that he has never looked into the documents referred to the committee on the subject of Texas at all.

Mr. LEGARE. Not one of them.

Mr. ADAMS. Into not one of them?

Mr. LEGARE. Not one.

Mr. ADAMS. I beg leave, now, to read the 76th standing rule of this House:

"It shall be the duty of the Committee on Foreign Affairs to take into consideration all matters which concern the relations of the United States with foreign nations, and which shall be referred to them by the House, and to report their opinion on the same."

There is the letter of the law. (Mr. A. here read the rule, very slowly, a second time.) The gentleman from South Carolina says that he is aware the question is one of immense importance.

Mr. LEGARE said he had done nothing incompatible with that rule. He had fully *considered* the *subject* on which the committee reported, and as far as the report went. It was by no means necessary to look into the arguments for or against admitting Texas, when the committee concluded that no question as to the admission of Texas had yet arisen in the House, and did not choose themselves to become the authors of any proposition, without the express order of the House.

Mr. ADAMS. The gentleman has taken into consideration the resolutions of sovereign States, and of a vast body of memorials and petitions, and has never looked into one of them. [A laugh.] Sir, the time has



been when I despaired to speak to this House on a great principle, when I despaired to speak to the People of this country on a great principle. I will not say that the time has passed when I despair to appeal to this House on a great national principle. I remember the report of the Committee of Elections in the Mississippi case. I remember the report of the Duelling Committee. I do not know but that it is deenerate to make an appeal to this House when party crosses its path, but I do not despair to appeal to the People. To them I call to mark the principles assumed in this House by members of one of the most important committees of the House—a committee to whom the destiny of this nation is committed in a greater degree than to any other. I call them to note what is now passing here. The resolutions of the Legislatures of six or seven States of this Union, standing on the principles they respectively maintain, together with memorials, and petitions, and remonstrances, from thousands and hundreds of thousands of American citizens, have been referred to that committee to consider and report thereon. When a question is put, a member of that committee rises in his place and denies the right of the House, or of any member, to ask whether the committee ever did consider those resolutions and memorials. And another member of that same committee answers that he is willing to report on these papers without looking into any one of them. Now, I beg leave to say, in the face of the country, that I denounce both as utterly incorrect, and I hope the People of the United States will do themselves justice in this case, as the People of Mississippi have nobly done themselves justice in regard to another report to this House. Sir, we are in a process in which I hope we shall persevere until such principles shall be forever swept away. Would to God they could be swept from the records of this House, as they will be from the practice of all future Congresses. I assert, as a great general principle, that when resolutions from the Legislatures of States, and the petitions of a vast multitude of our fellow-citizens on a subject of deep and vital importance to the country, are referred to a committee of this House, if that committee make up an opinion without looking into such resolutions and memorials, the committee betray their duty to their constituents and to this House. I give this out to the nation. I ask this nation to reflect on the proceedings of the committee and of the House on such principles. When the meanest petition of the lowest and poorest individual in the country (I will not say slave) is presented in this House and referred, I hold it the duty of the committee, to the House, to the country, and to the petitioners, to look into the petition before they make up their opinion. Here is a broad principle; if I am wrong, let the country put me down. It is affirmed that the report of a committee is to be made without even looking into the resolutions of Legislatures and the petitions of citizens referred to that committee for consideration. There I am willing the question shall rest.

As to the urgency of the gentleman from Virginia, [Mr. DROMGOOLE,] that other members of the committee shall be called upon to say whether they endorse his position, the gentleman can ask of them if he pleases; I shall not, for the reason I assign, and for another reason, which I will give, since he is disposed to insist.

Mr. HOWARD here interposed. It was I who wished that question

should be put to the members of the committee. The gentleman from Massachusetts intimated plainly, too plainly, that I was influenced by some sinister consideration, in common with the gentleman from Virginia, in resisting his right to catechise the committee. I now wish the House to see whether other members of the committee do not agree with us in sentiment. I trust my colleague from Virginia will persevere, and I see an additional reason for this in what the gentleman from Massachusetts has now said.

MR. ADAMS. The chairman did ask, and so did the gentleman from Virginia, that the members of the committee might be called upon. They both asked this. I stated the reason why I should not call upon them, viz: because it would place each member of that committee in an attitude where he would be obliged to trample on a great principle of duty, or to sacrifice, as far as he can be supposed to sacrifice, the judgment of a colleague on the committee. I had witnessed the effect of that appeal on the chairman, for I do not believe now that that gentleman would be willing to take such a position as was assumed by the gentleman from Virginia, because the gentleman from South Carolina [Mr. LEGARE] did not. The gentleman from South Carolina changes the issue. The gentleman from Maryland changes the issue. He yesterday supposed that I was putting a personal question to the gentleman from Virginia, and this he thought I had no right to do. But that was not the question. There was nothing personal in the matter. I have disclaimed, to the utmost, all pretence of right to question the gentleman from Virginia, whether he makes up his opinion on a memorial without looking into it or not. On that matter he may do as he pleases. So may the gentleman from South Carolina. My question was, whether the committee had done their duty, as they are required by the rule of this House, and by every principle of reason, to do. Why do you refer any paper to a committee, if their mind is previously so made up that they will not look into one of those papers? What is it but a waste of time to refer documents to a committee who have thus prejudged the subject? I say it is contrary to the very vital existence of this House, and of the committees of this House; and I say that if the avowal of such a principle was made in respect to the memorial of a single individual, it would not be tolerated. Supposing it were a petition of a soldier of the Revolution, or the case of Mrs. Heileman, which we had but yesterday before us, a case not provided for by law, and the committee should take such ground, what would this House say? I ask the gentleman from South Carolina himself to tell me what would this House say? A committee comes in and reports against the petition of Mrs. Heileman. They are asked whether they looked at her petition, and one of the committee rises and says, no; I had made up my mind before; I did not care what was in the petition; I had considered *the subject*, and I thought the provisions of existing laws to be sufficient. What would this House say to such an answer as that? And if it would not be tolerated in the case of one poor widow, what shall be said when the question referred to the committee is the fate and fortune of this Union—the existence of this Union—the existence of freedom among the race of man?

I have said, and I repeat, that I wish every member of the committee to understand that it is not in reference to his own individual opinion or

conduct that I have wished to put any question. His opinions I am willing to hear in this House, from himself, as he chooses to express them. What I want to hear is, the opinion of the committee, and it was on that principle I desired the recommitment. I wish the papers recommitment, that the committee may be required by this House to do their duty, as they now avow they did not, and deny the right of the House to call upon them for its performance.

There is one point in this matter of more importance than any other. The assumption of the gentleman from Virginia, and the gentleman from South Carolina, and, as far as I understand him, of the chairman of the committee, forms a part of that system of contempt for the right of petition to which, I am sorry to say, this House has given its sanction. I say that this is a part of that system. I have always maintained that when the petitions of the People of the United States, and, still more in point of importance, though not in point of principle, resolutions of Legislatures, on questions of the deepest importance, whether the opinions which they express be on the one side or on the other of those questions, are presented to this House, it is the duty of this House to consider them, either immediately or through its appropriate committees; and I insist that when such memorials are referred to a committee it is the duty of the committee to consider them before reporting in regard to them, and to report upon and after due consideration of their contents, and to form a judgment from their merits. This I take to be the true scope and meaning of the Constitution, when it declares that the right of petition shall not be abridged. And if it is our duty to hear and to consider the petition of a single individual, it is still more our duty to hear and to consider the resolutions of a State Legislature.

But this committee have gone further in trampling upon the right of petition, of which the House has given them an example. The House has not gone the length of refusing to receive petitions, but with a distinction, which I am ashamed to mention in the face of this nation, they have resolved, with great solemnity, to receive memorials and then not to consider them. That principle has been extended by this committee. Sir, if a Yankee was ever charged with manufacturing wooden nutmegs, that was the man to advance such a principle. [A laugh.] Is this principle the wooden nutmeg of this House? It is that, or it is nothing. I say this for the benefit of such members of this House as are willing to take shelter from the indignation of their constituents under such a distinction.

The CHAIR here interposed, and reminded the gentleman from Massachusetts that it was not in order to speak disrespectfully of the action of the House.

Mr. ADAMS. I am much obliged to the Speaker for not having stopped me before. [A laugh.] I assume it as a principle that it is the duty of this House to receive the petitions of all the citizens of the United States, if couched in respectful language; and I further assert it as a principle, that it is our duty not only to receive, but to consider them; and I say that if we receive and refuse to consider, we shelter ourselves under a distinction unworthy of this House—a distinction that would be unworthy of any man in private life, and much more of the highest legislative body in the country.

The SPEAKER here interposed, and observed that he could not perceive how these remarks were connected with the subject before the House.

Mr. ADAMS. That I will endeavor to show. I will endeavor to make it very clear to the Speaker. I say that the principle avowed by the gentleman from South Carolina [Mr. LEGARE] is but a carrying further of a principle which I reprobate, though it has been three times sanctioned by a vote of this House. The gentleman extends the principle by carrying it into the doings of a committee. In this case, the House, after receiving and slumbering over multitudes of petitions and memorials, and after treating, in various methods, the solemn resolutions of State Legislatures, after laying them on the table time after time, did finally condescend to refer one to the Committee on Foreign Affairs. That was a reversal, so far as it went, of the doctrine and practice which had prevailed. The House, in that case, treated a memorial with so much respect as to refer it to a committee.

Sir, the standing committees are the eyes, the ears, and, in a great degree, the judgment of this House. They are instituted for that very end. They are appointed to meet the subjects sent to us, to consider them, and mature them for our action, and thus to save the House that prolixity of detail which would otherwise be unavoidable. When the House has full confidence in its committees, they effect this object. Many and many an act is passed in this House entirely and solely on the confidence it reposes in its committees. This is necessary for the expediting of public, and, still more, of private business. It is indispensable. We must have confidence in our committees; we are warranted in it by the rules of the House which prescribe their duties. I have already pointed out the rule which marks out the duty of that particular committee to which these memorials, touching the annexation of Texas, were referred. One petition was referred to that committee; I understood the chairman to say it was done through inadvertence. Happy inadvertence! it has given us one step in advance of that system of treatment by which the People of the United States have been governed for years. But what a strange thing is it for the chairman of a standing committee of this House to say that a petition on a most important subject, a subject involving the very existence of the Union, has, through the inadvertence of the House, been suffered to be referred to a committee! What is this inadvertence? Why, sir, it is the inadvertence of our not having been sufficiently cautious in suppressing the right of petition. [A laugh.] Yes, sir, in an unguarded moment we opened the doors of this House for the People to petition it; we opened the door to the Legislatures of the States to commune with the Legislature of the Union on a subject of the most vital importance. Well, sir, if it was by inadvertence in the first instance, what will the honorable chairman make of the subsequent reference of other memorials? They were made, I believe, mostly at my instance. They were made publicly. They were made without opposition. They were made when the House knew perfectly what they implied, and they were deliberately sustained by the House. What says the chairman to that? The gentleman yesterday referred us to page 67 of the Journal, where, he told us, we should find a vote of 127 to 68, laying this whole subject on the table. Yes, sir,

the chairman gives the reference very correctly. There was such a vote ; and how came it to pass? Sir, there is a gentleman immediately before me, (Mr. A. looked at Mr. WISE,) himself the champion of free debate in this House, whom I have many a time heard with great delight maintaining not only that right, but occasionally the right of petition also. It was on his motion that this was done ; and I remember telling him at the time, in a friendly conversation, that he had now changed sides, and, from being the advocate of the right of petition and of free debate, had become the competitor of a gentleman from another quarter for the office of mover-general of previous questions and layings on the table.

[At this point the morning hour expired, and the subject of course lies over.]

## TUESDAY, JUNE 19, 1838.

The report of the Committee on Foreign Affairs in relation to Texas being again under consideration as the unfinished business of the morning hour—

Mr. ADAMS said that, from the interrupted manner in which every argument must necessarily be conducted when confined to the morning hour, it became necessary to recapitulate every morning the actual state of the question before the House.

[He then stated the original report of the Committee on Foreign Relations, the resolution introduced by Mr. CUSHING, the amendment thereto proposed by Mr. THOMPSON, and his own amendment, as it has heretofore been given.]

The ground (said Mr. A.) on which my colleague [Mr. CUSHING] moved his resolution calling for a report from the Committee on Foreign Affairs was, that the committee requested to be discharged from all the memorials and resolutions referred to them on the subject of Texas, without having taken them into consideration at all ; and he dissenting from this report, and the committee not having taken one of those papers into consideration at all, he was thus deprived of the opportunity of presenting a counter report, as he was desirous of doing. It will be recollected, when my colleague offered his resolution for a recommitment, and debate had arisen on the question of its adoption, I asked whether the committee had *considered* the multitude of memorials and petitions and the resolutions of State Legislatures which had been referred to them. I was answered by one of the members of that committee, who denied my right to ask such a question, and said that "he would not be catechised by me." Thinking this a *very* extraordinary answer to any inquiry which I thought myself fully entitled to make, I applied to the chairman of the committee to know whether he endorsed that position, and I understood him to say that he did go with that gentleman to the whole extent ; and, further, that he considered it as disrespectful to a committee for any member of the House to ask if it had performed the duty assigned to it by the House. This answer I considered quite as extraordinary as the other. Subsequently, another member of the committee, apparently unwilling to hold himself responsible for the position taken by his colleague of the committee, frankly declared that he for himself would answer the question—that he had not looked into one of the papers. This reply was at least as extraordinary to me as that of

his colleague ; and so extraordinary that I repeated his words, and asked, " what ? not into one of them ? " and he reiterated the reply, " no, not one." Then, I think, the chairman of the committee, ceasing to pursue that particular inquiry, assigned the reasons why he should oppose the recommitment ; confining, however, his remarks principally to the amendment of the gentleman from South Carolina, [Mr. THOMPSON,] and intimating to him that that gentleman was going counter to his own views, thereby warranting the apprehension that the chairman concurred with the gentleman from South Carolina in his ultimate object, the annexation of Texas to the Union, which he charged him with having retarded, instead of forwarding, by precipitating the acknowledgment of the independence of Texas as a sovereign State. The chairman thought the amendment I had offered unworthy of any answer. It declared that the power of annexation to this Union of the People of any other State was a power not delegated by the People of the United States to Congress, or any other authority of this Government, but reserved to the People. This was the first of the two resolutions which I offered. The chairman thought it not worth his while to answer that at all. He said there had been some doubts on the question, but cited the cases of Louisiana and Florida, and added that some persons thought there was a great distinction between the admission of those countries and the admission of Texas, but that he never had been able to see any ; from which it may be inferred that he is himself ready for the annexation as soon as the consent of Congress can be obtained.

It is not my purpose at this time to enter upon that discussion ; but I shall now answer some observations of the honorable chairman as to the manner in which the resolutions and memorials were referred to his committee, and the preceding action by which they were laid upon the table. He referred me to a vote of the House on the 13th of December, when, by a majority of 127 to 68, the memorials at that time before this House were ordered to be laid upon the table ; and he inferred from this vote the solemn determination of the House that all memorials on that subject should be laid on the table in like manner, and that no further action of the House should be had in regard to them. I admitted the fact of the vote ; and stated that it had been taken at the motion of a gentleman from Virginia, [Mr. WISE,] whom I do not now see in his place : a motion very unusual with him. I refer to that now, because, after the expiration of the morning hour last Saturday, he came over to my seat, and desired me, in case he should not be in the House this morning, to give his explanation as to his reasons for making that motion. He said it had been, indeed, at his motion that the resolution passed ; but that it had not been his intention that the laying of these resolutions on the table should be the final action of the House upon them. With regard to the petitions against slavery, as to which an act of proscription was passed by this House on the 21st of December, his vote had been given on the ground that those petitions asked for that which this House had no constitutional power to grant ; on this ground he moved to lay them on the table, though he should himself have preferred that they should not have been even received. They were received, however, against his will ; and then, as the measure he next preferred, he moved to lay them on the table. He had not such a view,

however, as to these memorials against the annexation of Texas, because he did consider the House as perfectly competent and at liberty to act upon them; and his motion to lay them on the table was intended only as a postponement of them for a time, that they might be afterwards taken up and acted upon. I make these explanations for him, and with entire satisfaction on my part. And this shows that the assumption of the chairman, as to the intent of the House in laying these papers on the table, was at least not the intention of the mover of the resolution; and my inference is that the House did not intend so neither.

But it is necessary to refer a little further to the action of the House on those petitions and memorials which had then been presented to the House, to show what was then done in regard to them by this House, and particularly by the chairman of the Committee on Foreign Affairs. The Journal of the House, on the 12th of December, shows the following entry:

"Mr. J. Q. ADAMS presented a remonstrance of Nancy Ripley and 237 other women of Plymouth, in the State of Massachusetts, against the annexation of Texas to the Union of these States; and, thereupon,

"A motion was made by Mr. A. that the said remonstrance, together with one hundred and ninety other like remonstrances, petitions, and memorials, numerously signed, and by him presented to this House at the last (extra) session of Congress; as, also, the several remonstrances, memorials, and petitions, against the annexation of Texas to the Union of these States, presented to this House at the last session of Congress by the several other members from the State of Massachusetts, be referred to a select committee.

"A motion was made by Mr. HOWARD, that the said remonstrances, memorials, and petitions, be referred to the Committee on Foreign Affairs; which motion, under the rules, takes precedence of the motion to refer to a select committee.

"And, debate arising, the said remonstrance and motions were laid on the table, under the 48th rule of the House, to be taken up in the order of presentation."

The motion made by me was, that the petition I then presented, together with 190 others presented by me at the September session, and signed by upwards of 20,000 persons, and others to an equal or greater amount presented by my colleagues, should be referred to a select committee. The first objection to this was made by the chairman of the Committee on Foreign Affairs, who claimed the jurisdiction of this subject to himself. He was chairman of the Committee on Foreign Affairs, and, as such, he insisted on having the consideration of the memorials. I presume he thought that the matter they related to was of immense importance, and one not to be passed over in silence. This appears, from the fact of his claiming the right that they should be referred to himself and his own committee. Sir, I have great respect for that committee, considering it, as I do, the most important of all the standing committees of this House, not excepting the Committee of Ways and Means, nor the Committee of Elections; and I entertain great respect for all the members of the committee. But, still, sir, it was not exactly the committee to which I should have preferred to have these papers referred, and that for two reasons: The committee, in two senses, is a party committee; and this is a question, in two senses, of a party nature. For, first, it is a sectional question, a question of the North and the South, touching deep, abiding, and most important interests; and, in that point of view, a majority of the committee represents a minority of the People of the United States. It is a committee consisting of five Representa-

tives from slaveholding States, and four from States non-slaveholding; a distinction in the committee directly the reverse of that of the interests represented by them. A minority of the People of the United States is represented by a majority of that committee, and this on a question vital to their interests. In the next place, it is a question of deep party concern as to the Administration and the Opposition parties of the country at this time; and the committee consists of six friends of the present Administration, and only of, at most, three of the Opposition; more probably, I might say, of two to seven in favor of the Administration.

Now, that this is a question between the free and the slaveholding States, I believe no man can have any doubt at all. If he has, an inspection of the yeas and nays on any one of the questions which distinguish the two will immediately satisfy him. That it is a question peculiarly interesting to the present Administration, which is understood, avowedly, boastingly, and openly, to be the Administration of a Northern man with Southern principles, there cannot be a doubt. This is the combination in the committee: a sectional combination of interests of the slaveholding against the free States, and an Administration combination of a Northern Administration with Southern principles. Sir, of those Southern principles affecting Northern men we have daily demonstration in this House, to which it is unnecessary for me to refer. But thus it is. This committee, the most important in the House, is composed, first, with regard to sectional questions, of a majority of members representing a minority of the People; and, secondly, as to the question of Administration and Opposition, it is a committee consisting of two thirds Administration men, and *less* than one third of Opposition men.

Now, I will not ask what is the relative strength of this Administration and its opponents in the People of the United States. We are receiving daily proofs of that. I will not ask what is the relative proportion in this House of Administration and Opposition men: we had yesterday, on an exceedingly trifling question, a demonstration of what that was, when the vote stood 99 to 99, and was made 99 to 100 only by the casting vote of the Speaker. Now, of a House thus constituted, here is a committee on subjects of the deepest interest to the country, to the whole country, and to every part of it, in which *six and a half* or seven members are Administration men, and the residue belong to the Opposition. I say, then, that this committee is not the committee to which I by preference should have referred those petitions and memorials which had been committed to me that I might present them to the House, and might do all that was in my power to do justice to the memorialists. Observe, there was then no resolution presented from any State Legislature; but on my motion to refer the memorials to a select committee, the chairman of the Committee on Foreign Affairs seized upon them, and insisted that his committee must have them—a committee consisting of five slaveholders and four freemen, and six and a half supporters of the Administration of the Northern man with Southern principles. This was the committee that must have jurisdiction over this all-absorbing question.

The first thought of the Speaker was, that a motion to refer to a standing committee of the House took precedence of a motion for a select committee. I do not mention this to complain of it at all. A debate



arise, and the consideration of the subject was postponed. However, it seems that even that did not answer. Observe, that the famous resolution of the 21st of December—PATTON'S gag—had not then been passed by the House. No resolution had then been adopted by which the whole mass of the will, wants, and prayers of the People of the United States was struck away. I then presented another petition, and made the same motion that it be referred to a select committee; the chairman of the Committee on Foreign Affairs immediately started up, and moved that it be referred to that committee. The petitions having been taken up next day, a motion was then made by Mr. WISE to lay them on the table; and I find from the Journal that the vote stood, 127 to 68. Then, a few days after, came the general resolution of the 21st of December, requiring that all memorials, petitions, and papers, referring to slavery and the slave trade, be laid upon the table, without reading, printing, or further action of the House; and from that time, for two or three months, the same befell every petition and memorial in which the name of Texas was concerned. The House cannot have forgotten that, whenever a motion was made for a select committee, there never failed some voice to be heard; or, if there did, the Speaker considered it as a matter of course, constructively, that a motion was made to lay the papers on the table, and laid on the table they were.

But on the 14th of February I find an entry on the Journal, stating that Mr. HEMAN ALLEN presented the following resolutions of the Legislature of the State of Vermont:

“LEGISLATURE OF VERMONT—TEXAS—SLAVERY—THE SLAVE TRADE, &c.

“The committee to whom were referred numerous petitions of citizens in all parts of the State, praying that our Senators in Congress be instructed, and our Representatives requested, to use their influence to prevent the annexation, by that body, of Texas to the United States, and calling on the General Assembly of Vermont itself to protest against the same in any way being done—

“And to whom were also referred numerous memorials from various parts of the State, praying this honorable body to adopt resolutions declaring—

“First. That Congress has the constitutional power to abolish slavery and the slave trade in the District of Columbia;

“Second. That it has the constitutional power to abolish them in the several Territories of the Union where they exist;

“Third. That it has the constitutional power to prohibit the slave trade between the several States of the Union; and

“Fourth. That, in regard to all these particulars, Congress ought immediately to exercise that power—

“And to whom were also referred numerous petitions, praying this honorable body to protest against the admission of any new State into this Union, whose Constitution tolerates domestic slavery, have had the same under consideration, and beg leave to report as follows:

“The committee have not been enabled to find in the Constitution of the United States any provision delegating to Congress power to incorporate with our territory a separate and independent State. Such is Texas. It is true Congress possesses power to admit into the Union “new States;” but it is believed they must be those, and only those, whose constitutional forms of government are authorized and approved by the legislative sanction of that body.

“The purchase of Louisiana and Florida, and the annexation of them to the territory of the Government, were, it is believed, assumptions of power on the part of the Government with which the Constitution did not clothe that body. Popular approbation, added to the fact that these acquisitions were necessary to the safe and convenient use by our fellow-citizens of large sections of our country lying contigu-

ous to them, prevented, at the time, any strong opposition to these acts of purchase, or any examination of a serious character into the authority by which they were done. But, leaving out of view what is thought to be a decisive constitutional inhibition of the annexation of Texas to the Union, there are other objections which seem insurmountable to the committee. The State of Mexico, of which Texas was one of the confederate provinces, and from which it has but lately been torn by violence, had adopted, and practically carried out, in her political organization, sentiments that, it seems to the committee, lie at the foundation of all just government, and which are thus happily set forth in the Constitution of this State: *'All men are born equally free and independent, and have certain natural, inherent, and inalienable rights, among which are the enjoying and defending of life and liberty; acquiring, possessing, and protecting property, and pursuing and obtaining happiness and safety.'* Under the influence of these principles, Mexico, in a manner that won for her the augmented respect of the civilized world, had honorably abolished the system of slavery that attached to her during her colonial dependence on the kingdom of Spain. Texas, on the other hand, no sooner had separated from Mexico, and assumed an independent position, than she showed an utter disregard of these principles, and of the just respect of the great body of Christian nations, by incorporating indissolubly with her political system the enslavement, the unconditional and perpetual enslavement, of a part of the human family—of that part, too, who, it seems to your committee, have already wept long enough over the wrongs and afflictions they have suffered from their brethren.

“Against every form of oppression the People of Vermont have, at all times, borne honorable testimony. In their Constitution they have published to the world their everlasting opposition to slavery—even down to the minutest and least revolting of its modifications. It would, then, be inconsistent in Vermont—it would prove that she had somewhat cooled in the fervor of her love for liberty—should she consent to be drawn into close and fraternal bonds with a People who, beyond any yet known in modern times, have made the most deliberate and heartless assault on human freedom.

“There is one other reason against this measure that the committee ought not to omit presenting to your honorable body. Its most industrious advocates urge it, not because our population, too crowded for our present bounds, justly call for others more extended; not because it is necessary to the unencumbered, safe, and profitable use and enjoyment of all the resources and advantages of any part of the territory we now possess; but for the avowed object of adding to and confirming the slaveholding influence in the management of the Government. The anarchy and disorder that now prevail in the South; the apparent overthrow, of late, of her own constitutional and legal barriers, erected for the security of the citizens, and the seeming want of power in her proper authorities to re-establish them; the illegal outrages which her own citizens, as well as those from the free States, have suffered for the last two or three years in the South, and to which, it would appear, up to this time, they are exposed—outrages that, so far as your committee have the means of information, have, in many instances, been provoked by an honorable advocacy of liberty, and a condemnation of slavery not less honorable, or from a suspicion that the one was honored and the other detested—outrages that have been passed by unpunished and unnoticed by the proper tribunals where they have been perpetrated: these, and other fearful sacrifices of important interests by the North, demanded by the South to be offered up for the security of her peculiar institution; the surrender that she asks from us of the *freedom of speech, the liberty of the press, the right of petition*—all these united inspire your committee with a well-founded apprehension that the additional weight which the annexation of Texas to the United States would give to the slaveholding interest in our political organization, would, in all probability, soon lead either to a dissolution of the Union, or to the political degradation of the free States, and, eventually, to the entire overthrow of their common liberties: Wherefore the committee recommend the adoption by the General Assembly of the following resolutions:

“W. R. RANNEY,

“MILTON BROWN,

“For Committee.

“1. Resolved by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives requested, to use their influence in that body to prevent the annexation of Texas to the Union.

"2. *Resolved*, That, representing as we do the People of Vermont, we do hereby, in their name, SOLEMNLY PROTEST against such annexation in any form.

"3. *Resolved*, That, as the Representatives of the People of Vermont, we do solemnly protest against the admission into this Union of any State whose Constitution tolerates domestic slavery.

"4. *Resolved*, That Congress have full power, by the Constitution, to abolish slavery and the slave trade in the District of Columbia and in the Territories of the United States.

"5. *Resolved*, That Congress has the constitutional power to prohibit the slave trade between the several States of this Union, and to make such laws as shall effectually prohibit such trade.

"6. *Resolved*, That our Senators in Congress be instructed, and our Representatives requested, to present the foregoing report and resolutions to their respective Houses in Congress, and use their influence to carry the same speedily into effect.

"7. *Resolved*, That the Governor of this State be requested to transmit a copy of the foregoing report and resolutions to the President of the United States, to the Executives of the several States, and to each of our Senators and Representatives in Congress."

Then comes the authentication of the resolutions, as passed by both Houses of the Legislature of the State of Vermont. It is worthy of remark how these resolutions were disposed of. This, be it remembered, was the first application from one of the sovereign States. It was presented nearly two months after the gag, and the entry on the Journal states that the resolutions were laid on the table under the resolution of the House of the 21st of December. That is the gag.<sup>a</sup> Was it not most extraordinary? What was the resolution of the 21st of December? It declares

"That all petitions, memorials, and papers, touching the abolition of slavery, or the buying, selling, or transferring of slaves, in any State, District, or Territory of the United States, be laid upon the table, without being debated, printed, read, or referred, and that no further action whatever shall be had thereon."

Yet here are the resolutions printed; yes, printed on the Journal of this House; and then it is said that they were laid on the table under this resolution, which declares that they should not be printed. Why, what does the Journal mean? We had it over and over again that no resolution or paper on this subject shall be printed. Yet here the resolutions are printed, and it is declared that they are laid on the table under that resolution. Now, if the resolutions might be printed, why might they not be debated? Why not read? Why might not the House act on them? Is it that there is something so odious, so detestable, in that resolution, that when the Speaker came to determine how the Journal of that day should be made up, he dared not carry it into effect? Was it that he did not dare to insult a State of this Union by denying its right to have its resolutions printed on the Journals of this House? Was that the reason? I hope it was; because, if I can bring the Speaker and this House to be ashamed of the resolution, I hope it will soon disappear, at least from the practice of this House, forever. Was this the reason? Or was it, as the chairman of the Committee on Foreign Affairs said of the reference of a memorial to that committee, done from inadvertence?

Thus stood matters on the 14th of February. On the 26th of March, six weeks later, Mr. NOYES, from Maine, presented a memorial and remonstrance from 31 citizens of Lubec, in Maine, against the annexation of Texas to the Union. The gentleman from South Carolina [Mr. LEGARE] does not know that. [A laugh.] He knows nothing about it.

He has not looked into the paper, and I give him this now as information. The memorial was referred to the Committee on Foreign Affairs. There was the inadvertence, and here is the remonstrance :

*"To the honorable the Senate and the House of Representatives of the United States in Congress assembled :*

*"The undersigned, inhabitants of Lubec, in the State of Maine, solemnly protest against admission of Texas into the Union.*

*"LUBEC, March 15, 1838."*

*[Signed by 32 names.]*

That is the whole, sir. There is not one word of argument, not a reason is given. It expresses simply the feeling of the petitioners. Was it to load the shoulders of the Committee on Foreign Affairs with too much labor and toil to require them to look into this memorial? No. But they did not look into it. They never have read it. I presume there is not a member of that committee that knew of its existence till this moment. They hear of it now for the first time. Still it was referred to the Committee on Foreign Affairs, and a standing rule of this House declares that the committee shall take it into consideration. The reference was made on the 26th of March. Did they take it into consideration? No, sir. The gentleman from South Carolina has answered that question. He says that he never looked into one of these memorials, and he speaks, no doubt, for the whole committee. He does not, like his colleague, [Mr. DROMGOOLE,] declare that he will not be catechised. No, he comes out fairly, and says, I never did look into one of them. The committee, therefore, from the 26th of March to this time, nearly three months, never looked into that petition. Well, sir, six weeks later—I cannot quote the Journal, because it has not been delivered to us—I applied for it, and was told that the manuscript is at the printer's—

Mr. CAMBRELENG here rose, and inquired of the Chair whether the morning hour had not expired.

The CHAIR announced that the hour had expired, whereupon Mr. ADAMS resumed his seat.

WEDNESDAY, JUNE 20, 1838.

Mr. ADAMS said that he was yesterday observing upon the course of the House in regard to the petitions of the People, and the joint resolutions of several State Legislatures, in relation to the annexation of Texas to the Union. He had stated what had been the action of the House in regard to the first memorials presented by himself, and the course pursued with regard to them, and those which followed, by the chairman of the Committee on Foreign Affairs, when he (Mr. ADAMS) had moved to refer them to a select committee. He had also referred to the succession of legislative resolutions from the different States that had sent them to that House, upon this subject, and which, till some time in the month of March, 1838, had successively been ordered to lie on the table. Among these were the resolutions of the Legislature of the State of Rhode Island. He mentioned these particularly, because Mr. TILLINGHAST had expressed a wish to speak upon them, and he had told that gentleman that, in the course of his remarks, it was his intention particularly to allude to them, as well as to the resolutions upon the same sub-

ject from other States of the Union. He was not at that time aware that those resolutions had not been presented to and acted on by this House. He then had the following resolutions read at the Clerk's table :

“STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS.

“IN GENERAL ASSEMBLY, *October Session, A. D. 1837.*

“Whereas the compact of union between these States was entered into by the People thereof in their respective States, ‘in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity;’ and, thereupon, a representative Government was instituted by them; with certain limited powers, clearly specified and defined in the Constitution; all other powers, not therein expressly relinquished, being ‘reserved to the States, respectively, or to the People;’ and whereas this limited Government possesses no power to extend its jurisdiction over any foreign nation; and no foreign nation, country, or people, can be admitted into this Union but by the sovereign will and act of the free People of all and each of these United States; nor without the formation of a new compact of union, and another frame of government radically different in objects, principles, and powers, from that which was framed for our own self-government, and deemed to be adequate to all the exigencies of our own free Republic: Therefore,

“*Resolved*, That we have witnessed with deep concern the indications of a disposition to bring into this Union, as a constituent member thereof, the foreign province or territory of Texas.

“*Resolved*, That although we are fully aware of the consequences which must follow the accomplishment of such a project, could it be accomplished—aware that it would lead speedily to the conquest and annexation of Mexico itself, and its fourteen remaining provinces or intendencies, which, together with the revolted province of Texas, would furnish foreign territories and foreign people for at least twenty members of the new Union. That it would load the nation with debt and taxes, and, by involving it in perpetual wars and commotions, both foreign and internal, would furnish a pre-  
 tence (which a state of war never fails to furnish) for the assumption and exercise of powers incompatible with our free republican institutions, and subversive of the liberties of the People. That the Government of a nation so extended and so constructed would soon become radically changed in character, if not in form; would unavoidably become a military Government, and, under the plea of necessity, would free itself from the restraints of the Constitution, and from its accountability to the People. That the ties of kindred, common origin, and common interests, which have so long bound this People together, and would still continue to bind them—these ties, which ought to be held sacred by all true Americans, would be angrily dissolved; and sectional political combinations would be formed with the newly admitted foreign States, unnatural and adverse to the peace and prosperity of the country. That the civil Government, with all the arbitrary powers it might assume, would be unable to control the storm: the usurper would find himself in his proper element; and, after acting the patriot and hero for a due season, as the only means of rescuing the country from the ruin which he had chiefly contributed to bring upon it, would reluctantly and modestly allow himself to be declared ‘Protector of the Commonwealth.’ That we are fully aware of the deep degradation into which this young Republic would sink itself, in the eyes of the whole world, should it annex to its own vast territories other and foreign territories of immense though unknown extent, for the purpose of encouraging the propagation of slavery, and promoting the raising of slaves within its own bosom—the very bosom of freedom—to be exported and sold in those unhallowed regions. Although we are fully aware of these fearful evils, and numberless others which would come in their train, yet we do not here dwell upon them, because we are firmly convinced that the free People of most, and we trust of all these States, will never suffer the admission of the foreign territory of Texas into this Union as a constituent member thereof; will never suffer the integrity of this Republic to be violated, either by the introduction and addition to it of foreign nations or territories, one or many, or by the dismemberment of it by the transfer of any one or more of its members to a foreign nation. The People will be aware, that, should one foreign State or country be introduced, another and another may be, without end, whether situated in

South America, in the West India islands, or in any other part of the world; and that a single foreign State, thus admitted, might have it in its power, by holding the balance between contending parties, to wrest their own Government from the hands and control of the People by whom it was established for their own benefit and self-government. We are firmly convinced that the free People of these States will look upon any attempt to introduce the foreign territory of Texas, or any other foreign territory or nation, into this Union, as a constituent member or members thereof, as manifesting a willingness to prostrate the Constitution and dissolve the Union.

*“Resolved,* That his excellency the Governor be requested to forward a copy of the foregoing resolutions to each of our Senators and Representatives in Congress, and to each of the Executives of the several States, with a request that the same may be laid before the respective Legislatures of said States.

*“A true copy—witness:*

*“HENRY BOWEN, Secretary of State.”*

[Here an explanation took place between Mr. ADAMS and Mr. TILLINGHAST, from which it seemed that these resolutions had been presented to the House, and by that body ordered to be printed, on the 29th December, 1837.]

Mr. ADAMS resumed, and said that, as the examination of this subject advanced, there was furnished yet fresher illustration of the evil principle that had been recently set up in that body, of treating with contempt the declared wishes and will of the People; which principle had gradually extended itself, until it had at length reached the joint resolutions of the Legislatures of sovereign States of the Union. He had said that he had made the discovery that these resolutions of the State of Rhode Island had not, as he had supposed, been printed by the House. Mr. TILLINGHAST had now shown that the fact was otherwise, and the reason of his apparent mistake was that, so far as he could find, upon a rapid glance, there was no entry on the Journal of the 29th December of the presentation of these resolutions. He might have overlooked the entry, and was perhaps mistaken in this assertion. The courtesy of printing such papers was one that was ever extended to those States from which they emanated; and he had, the day before, shown from the Journal that, although, under the order of the 21st December, 1837, every thing relating to slavery and the slave trade was directed to be laid on the table, without reading, printing, or considering, still, from the habitual respect which was entertained to any expressions of opinion on the part of a sovereign State, the Speaker had ordered that the resolutions of the Legislature of Vermont to be printed in the body of the Journal. How could it, then, happen that these resolutions of another sovereign State were not only not printed in the Journal, but, unless he greatly mistook, were not noticed on the Journal as having been presented? If it should appear, on examination, that the fact were so with regard to this matter, he hoped that the omission would be supplied, and the true state of the case made manifest in the Journal of the present day. But, if he was mistaken in this statement, he hoped the Clerk would correct him.

[The CHAIR here stated that the Clerk had informed him that the entry was made among his minutes, and the assistant clerk was then examining the Journal to ascertain whether or not it was entered upon the Journal.]

Mr. ADAMS trusted that, if it should appear that there had been an error in this particular, it might be rectified upon the Journal as of to-day. And he made these observations principally because the resolu-

tions having now been read, and listened to by as many members as have been pleased to give attention to them, they must have been found to contain high and important reasons, which should have compelled the Committee on Foreign Affairs to read and to consider them, when that paper was referred to them for that purpose by the House. And yet he supposed no member of that committee could tell what that paper thus referred to them contained, inasmuch as an honorable member thereof had frankly told the House that he [Mr. LEGARE] had not looked into a single one of the petitions, memorials, and resolutions of sovereign State authorities which were referred to that committee for consideration. Most probably this one had been overlooked. Had the committee condescended to examine it, it seemed to him to be utterly impossible that they could have overlooked it, and presented a report like that under consideration. Had they been read by its members, these resolutions must have had the effect deeply to impress the committee with the strong sensation felt by the People of the State of Rhode Island in this subject; and he did hope that, upon a recommitment of it to that committee, they would consider it, independently of their former prejudication of it, and report candidly and fully with relation to it.

Mr. A. said, that the next in order on the Journal of the resolutions of sovereign State Legislatures, presented to that House, upon this subject, were those offered on the 5th of March, 1838, of the Legislature of Ohio; from a section of the country different in its interests from the other—resolutions in relation to the annexation of Texas to this Union, and which are as follows:

“The subject of the annexation of Texas to the United States having been presented to the General Assembly of the State of Ohio, by numerous petitions, and by a report of a committee of one branch of the Legislature, the following resolutions were submitted by said committee for their definite action and concurrence:

“*Resolved by the General Assembly of the State of Ohio*, That, in the name and on behalf of the People of the State of Ohio, we do hereby solemnly protest against the annexation of Texas to the Union of these United States.

“*And be it further resolved*, That the Governor be requested to transmit to each of our Senators and Representatives in Congress, and to the Governors of each of the States, a copy of the foregoing resolution, with a statement of the votes by which it passed in each branch of the Legislature.

“C. ANTHONY,

“*Speaker of the House of Representatives.*

“GEORGE J. SMITH,

“*Speaker of the Senate.*”

Mr. ADAMS then reverted to the Rhode Island resolutions once more; stating that it now appeared, upon examination of the Journal of the House, that an entry was made of the fact that, on the 29th of December, 1837, Mr. TILLINGHAST had offered those resolutions, and that they were ordered to be printed. But they were not printed, as the Vermont resolutions had been, on the Journal.

[The CHAIR remarked that the resolutions in question had been printed among the *documents* of the House.]

Mr. ADAMS resumed. That was quite another thing from putting them upon the Journal—a courtesy always extended to the messages of the Executive, and to the resolutions of State Legislatures, as a matter of course. And he instanced the protest of the South Carolina Legislature against the action of the House upon nullification, and other cases of precedent. But he would leave that subject for the present.

He had been referring to the Ohio resolutions, presented on the 5th of March, which had then just been read. There, in that case, the resolutions had been entered on the Journal, as read. But there was a fact respecting them which he wished particularly to notice. The closing resolution of the series made it the duty of the Governor of the State to transmit to the Senators and Representatives in Congress from Ohio, &c., a copy of them, *with a statement of the votes by which they were passed in each branch of the Legislature.* Now, it was perfectly obvious for what reason that resolution was introduced: it was to show, in the most authentic manner, the unanimity with which they passed. The Governor had complied with the request contained in this last resolution, and had sent the required statement; and the member who had presented the resolutions, presented also the letter of the Governor, and asked to have it read, as he (Mr. A.) had been informed.

[Here Mr. GOODE rose, and stated that he had offered the resolutions, together with the Governor's letter accompanying them; which he had sent to the Chair, with a request that they be read to the House. This request had been refused, and he was told that he could only be permitted briefly to state a summary of the contents of the letter.]

Mr. ADAMS resumed. This was only another illustration of the new and extraordinary mode in which the petitions of the People, and the resolutions of their Legislatures, were treated, under the present Administration, in that House. The Representative from Ohio had been refused permission to read to the House a short and respectful letter from the Governor of that State, acting in pursuance of instructions from the Legislature thereof. He would now see whether he should or should not be permitted to read that letter. It was then read, as follows:

“EXECUTIVE OFFICE, OHIO,

“Columbus, February 24, 1838.

“To the Hon. Mr. GOODE:

“In compliance with the request contained in the second resolution herewith transmitted, I send you a certified copy of resolutions passed by the General Assembly of Ohio, protesting against the annexation of Texas to these United States.

“These resolutions passed the House of Representatives (the whole number of which is seventy-two) by a vote of sixty-four in favor, and none against them; and passed the Senate by a vote of thirty-six (the whole number) for, and none against them.

“I have the honor to be your obedient servant,

“JOSEPH VANCE.”

That, sir, resumed Mr. A., is the letter from the Governor of Ohio, which the Representative of the People of that State was not permitted to read here, in his place, to this House; and which was not suffered to accompany the resolutions of the Legislature of that State; a letter which not only ought to have been permitted to be read, but ought also to have been entered upon the Journal of the House, as a part of the proceedings of that Legislature in relation to this matter. But neither was done, as he (Mr. A.) had already shown.

On the 16th of April, (continued Mr. A.,) there were presented to the House the joint resolutions of the Legislature of Tennessee, with regard to the subject of the annexation of Texas. These were in a somewhat different strain from those which had preceded them from other States, and were as follows:



*' Preamble and resolutions in favor of the annexation of Texas to the United States.*

"Whereas we have been anxious and attentive observers of the progress of events in Texas, and have not been unmoved spectators of her late gallant and glorious struggle for freedom, and have seen that freedom achieved by those near and dear to us by the ties of kindred and common ancestry; and whereas we have seen, by a vote of the People of that Republic, an anxious desire manifested to become citizens of these United States; and whereas we believe that the gallant and chivalrous bravery of 'Texians, in their struggle for liberty and free government, is an assurance of their worth, and sufficient evidence of their qualification to entitle them to brotherhood and citizenship with us; and whereas, also, we believe that the annexation of Texas to these United States is a 'consummation devoutly to be wished,' and an end worthy our best exertions to attain, if it can be done without an infraction of the law of nations, or a departure from the policy or principles of this Government:

"*Now, therefore, resolved by the General Assembly of the State of Tennessee,* That we desire most anxiously that Texas be acquired by these United States; and, resolved, that our Senators and Representatives in Congress be informed of our desire to acquire the territory of Texas, and to annex it to the United States, by treaty or purchase, and at such time as they may deem most expedient.

"*Resolved,* That a copy of this preamble and these resolutions be forwarded by the Governor of this State to our Senators and Representatives in Congress, with a request that they introduce them to the consideration of both branches of Congress.

"JOHN COCKE,

"*Speaker of the House of Representatives.*

"TERRY H. CAHAL,

"*Speaker of the Senate.*"

"With a request that they introduce them to the 'consideration' of both branches of Congress." That (said Mr. A.) is the request with which these resolutions conclude. And now, he would ask, what becomes of the argument adduced by the gentlemen of the committee, that there is no proposition before Congress for the annexation of Texas to this Union? It certainly would not be expected, after demonstrations of his own upon this subject on that floor, that he should concur in the desire, or agree with the requests, of the Legislature of Tennessee, as contained in these resolutions. Yet, averse as he was to the principles they set up, he still demanded, in the name of that sovereign State, that its voice, thus uttered, should be listened to; and he hoped that the Representatives from that State would firmly insist that these resolutions, and that the Representatives from all the States, the Legislatures of which have sent up their resolutions to that House on this subject, would also insist that these resolutions, also, should be taken into respectful "consideration" by that House.

Mr. ADAMS said that he next came to the resolutions of the Legislature of the State of Michigan upon this subject. They were as follows:

"LEGISLATURE OF MICHIGAN,

"*Detroit, April 3, 1838.*

"Whereas propositions have been made for the annexation of Texas to the United States, with a view to its ultimate incorporation into the Union:

"And whereas the extension of this General Government over so large a country on the Southwest, between which and that of the original States there is little affinity, and less identity of interests, would tend, in the opinion of this Legislature, greatly to disturb the safe and harmonious operations of the Government of the United States, and put in imminent danger the continuance of this happy Union: Therefore,

"*Be it resolved by the Senate and House of Representatives of the State of Michigan,* That in behalf, and in the name of, the State of Michigan, this Legislature doth hereby dissent from, and solemnly protest against, the annexation, for any purpose, to this Union, of Texas, or any territory or district of country heretofore

constituting a part of the dominions of Spain in America, lying west or southwest of Louisiana.

*"And be it further resolved by the authority aforesaid, That the Governor of this State be requested to transmit a copy of the foregoing preamble and resolve, under the great seal of this State, to the President of the United States; also, that he transmit one copy thereof, authenticated in manner aforesaid, to the President of the Senate of the United States, with the respectful request of this Legislature that the same may be laid before the Senate; also, that he transmit one copy thereof to the Speaker of the House of Representatives of the United States, authenticated in like manner, with the respectful request of this Legislature that the same may be laid before the House of Representatives; and, also, that he transmit to each of our Senators and Representatives in Congress one copy thereof, each, together with the report adopted by this Legislature, and which accompanies said preamble and resolves."*

Mr. ADAMS inquired of the Clerk if these resolutions had been entered upon the Journal of the House in their proper place?

[The Clerk was not prepared at the moment to answer, but would examine and ascertain the fact.]

Mr. ADAMS proceeded. He said he was aware that the reading and commenting on these resolutions might prove tedious to the House; but he hoped honorable members would take into consideration the fact, that they had not before been treated with the respect that such papers deserved, and, moreover, it was his wish that the Legislatures of these different States might know that, though late in the day, their resolutions upon this subject had been presented to the House, and that they had been read on that floor, and that the Committee on Foreign Affairs had come forward with the declaration that they had not thought it worth while to look into them; no, "not into a single one of them," as one of the gentlemen of that committee [Mr. LEGARE] had expressly avowed.

Mr. ADAMS then announced that he should next allude to the presentation of the legislative resolutions of the State of Alabama, when

The CHAIR announced that the hour for morning business had elapsed, and

Mr. ADAMS suspended his remarks.

#### THURSDAY, JUNE 21, 1838.

The report of the Committee on Foreign Affairs in relation to Texas being again under consideration as the unfinished business of the morning hour—

Mr. ADAMS rose, and said: When the morning hour expired yesterday, I was presenting to the House, as a motive for the recommitment of the memorials and resolutions on the subject of the annexation of Texas to this Union to the Committee on Foreign Affairs, to whom they were formerly committed, but who had not taken them into consideration, certain resolutions adopted by the Legislatures of several States on that subject. I read several of those resolutions, or caused them to be read by the Clerk. The necessity of doing this I considered as imposed upon myself as a duty, that at least it might appear that those resolutions had received some consideration by this House, how little soever they might have received from the committee to whom they were sent.

I had proceeded through the States whose Legislatures had adopted resolutions on this subject, until I had come to resolutions of the Legislature of the State of Alabama, the reading of which closed the consideration of the matter yesterday morning.

*Joint preamble and resolutions of the General Assembly of the State of Alabama, in favor of the annexation of Texas to the United States of America.*

"The General Assembly of the State of Alabama have witnessed, with feelings of deep mortification, the course pursued by a few citizens of the United States in opposition to the admission of the Republic of Texas into the Federal Union.

"Professing, as we ever have, friendship for civil liberty, and a devotion to the holy cause of freedom in every clime, it was to have been hoped that no voice would be heard among us, to rebuke an application from Texas for admission into this boasted asylum from oppression. Our ports have been ever open to the exile or emigrant from the eastern hemisphere; invitations and inducements have been extended to all whose interest or inclination led them to our shores; and no one has ever thought of denying comfort and protection to all who have fled from tyranny in that quarter, and sought succor and shelter beneath the extended wings of our national eagle. By this policy many of the enslaved but worthy and magnanimous sons of Ireland, of France, and of Poland, have been enabled to reach our borders, and, 'redeemed, regenerated, and disenthralled,' to tread our consecrated soil with the firm and elastic step of conscious freedom. With these glaring facts in view, why, it may be demanded, should we reject an overture for similar privileges, coming from the West? Should the circumstance that the Texians come not as mendicants at our feet; that they can bring with them their lands, and habitations, and correct principles, change our policy? We presume not. It is true that these advantages should not impel us to a course different from what we would adopt if they did not exist; for whatever may be the magic influence of interest in ordinary cases, it is admitted that its injunctions should be powerless on the present occasion. But the circumstance is alluded to for the purpose of showing that, although it should weigh but as the dust in the balance in determining the present question, yet that it should have as little influence against as in favor of the conclusion to which we arrive. And, as far as it can be brought to bear upon the question in a constitutional or political point of view, precedents are not wanting, if justice could require or yield to precedent, which will sustain fully the advocates of the annexation of Texas. We refer to the acquisition of Louisiana, during the Administration of Mr. Jefferson, and to the still more recent annexation of Florida, during the Administration of Mr. Monroe. The inhabitants of those countries were not admitted into the Union at their own solicitation, but without their formal consent; they were purchased of their royal and imperial masters with our common treasure, and, together with their soil, their religion, their language, their household gods, were brought within the pale of our General Government. How different, in many respects, is the case with the Republic of Texas! Upon the unanimous application of her brave and chivalrous citizens, who may be said to be 'bone of our bone, and flesh of our flesh,' she seeks, 'without money and without price,' from us, to obtain shelter and protection under the ample folds of our federal banner. Is there, in the whole length and breadth of our land, a friend of liberty, a lover of justice, or even a mere philanthropist, who can hesitate for one moment in the decision of this question?

"There are some, it is to be apprehended and regretted, who view this subject alone through the dim and deceptive medium of *sectional* party feelings. We cannot consent to be influenced by such sordid and circumscribed motives. And such a view is the more to be deplored, because of its inevitable tendency to blind the honest, to pervert the innate sympathies of their nature for the worst of purposes, and, by introducing extraneous matters into an otherwise simple question, to lead the minds of many unsuspecting persons to the contemplation of false issues. For example, many well-meaning but misinformed females of some of our sister States, whose hearts are thrillingly alive and enthusiastic upon another subject, on false premises, as we know, are induced to believe that the present question is identical with that, and that, if Texas should be admitted into the Union, all their hopes in favor of universal emancipation will become, as they really are, the mere waking reveries of their abused or distempered imaginations. But were considerations of expediency to become the only test on this grave and important question, it is not perceived that such a view of the present subject should reverse the policy we propose. Looking to the most exalted aim, in a mere point of expediency, which can possess the bosom of an American patriot and statesman, the preservation through all time of *constitutional* union—the

only permanent palladium of civil liberty and domestic tranquillity—the annexation of Texas appears every way desirable to every portion of our country. The solid and everlasting foundation on which our political fathers sought to establish justice, to insure domestic peace, to form a perfect union of our States, and to perpetuate the blessings of liberty to themselves and their posterity, was a well-regulated balance of governmental and territorial power. Since the formation of the Constitution, the Northeast, the North, and the Northwest, have increased more rapidly in numerical power of States and population than the South and Southwest. It needs but a glance at the map to satisfy the most superficial observer that an *over-balance* is produced by the extreme Northeast, which, as regards territory, would be happily corrected and counter-balanced by the annexation of Texas. And when it is recollected, too, that the very territory which it is now proposed to acquire was once within the scope of a just claim of our General Government, extending to the Rio del Norte, and that it was bartered for a mess of porridge by a prime-mover of the present opposition to its reacquisition, there remains no pretext for a subterfuge, under which the adversaries of annexation can hope to disguise the *covert* designs which, there is much reason to fear, prompted the exchange of our claims in Texas for the unappropriated portions of Florida, consisting mainly of barren sands and poisonous everglades.

“It may be apprehended by some that there is danger, in negotiating with Texas on this subject, of involving our General Government in a conflict of arms with Mexico. We cannot perceive how it is possible, upon correct principles, that such a result can ensue; and we presume every patriot who entertains a proper respect for himself and his country will be ready to exclaim that, however much such a conflict is, at all times, to be regretted, yet, if it should be urged upon us, contrary to the eternal principles of right and justice, let it come! let it come!

“But it may not be amiss to examine, for a moment, on what foundation such apprehensions repose. Texas is not only independent by declaration, but she is sovereign and independent in substance and in fact; and, as far as can be judged from her past history or present condition, and the quiescent course of Mexico towards her for the last twenty months, there exists not the slightest ground to fear that her independence is not permanent. Is there any substantial reason, then, why we should not treat with the Republic of Texas as a sovereign and independent nation of the earth? Should we delicately consult the mere stubbornness of Mexico in this matter? Must we stand as idle spectators of her froward imitation of Old Spain, in refusing to recognise the independence of her revolted colonies, lest she visit upon us the vengeance which she has attempted in vain to inflict upon Texas? If this be a duty of neutrality, then it appears clear that an equal obligation exists to refrain from any negotiation with a revolted colony until the mother country acknowledges her independence. Such a course, however, is contrary to the invariable custom of nations. Indeed, the previous course of our own Government, under almost precisely similar circumstances, has been in accordance with the course for which we contend. Before Spain had recognised the independence of Mexico herself, and while the latter was far from settled in the exercise of her assumed sovereignty, a negotiation for the purchase of her territory to the Rio del Norte was urged upon her through Mr. Clay, then Secretary of State, under the Administration of the younger Adams. Where then were the constitutional objections to the annexation of Texas? The same policy was pursued and brought almost to consummation under the Administration of President Jackson. Wherefore now such extreme delicacy on the subject of our foreign relations?

“But as it is upon the substance of this important subject that we desire to be distinctly understood at present; therefore,

“1. *Be it resolved by the Senate and House of Representatives of the State of Alabama in General Assembly convened*, That the overture on the part of the Republic of Texas, for annexation to the United States of America, ought to be met by the federal authorities in the most friendly manner, and should be accepted as soon as it can be done without a violation of our honor as a nation, or any principle of international law.

“2. *And be it further resolved*, That our Senators in Congress be instructed, and our Representatives requested, to urge and sustain the foregoing views on all proper occasions.

“3. *And be it further resolved*, That the Governor of this State be requested:

transmit, as early as practicable, a copy of the foregoing preamble and resolutions to each of our Senators and Representatives in Congress, a copy to the Governor of each State of the Union, with a request that it be laid before the Legislature of his State, and a copy to the President of the United States."

The observations I shall think it proper to make on these resolutions may with propriety be preceded by an explanation of some expressions I employed on the preceding day, which, as I have since learned, were not fully understood.

I stated, when speaking of the manner in which the memorials, petitions, and resolutions on the subject of Texas had been treated, that the Committee on Foreign Affairs was not the committee to which I should have been desirous that they should be referred; and in assigning the reasons why I did not wish them sent to this committee—the most important committee of this House—and for every member of which I have great personal respect, I stated that it was in consequence of the composition of that committee, in both points of view, both as to the sectional question of party as between the North and the South, and also as between the Administration and the Opposition. And in reference to the second branch of the observation, I said that the committee contained "*six and a half*" members who were to be considered as friends of the Administration, and the remainder were supposed to belong to the Opposition. I have understood since that some of the members of the House had doubts as to what was intended by the expression "*six and a half*," as thus applied.

I will now state, by way of explanation, that I considered six of the members of that committee as what I should call devoted friends of the Administration—as toe-the-mark gentlemen—gentlemen who considered that obedience, implicit obedience to what are called in certain quarters the "*usages of the democratic party*," required the sacrifice, on almost every occasion, of their own private and personal opinions to the views and opinions and purposes of a majority of this House.

But the committee contained one member [Mr. LEGARE] who considered himself, and was considered by his friends, and, I believe, by the House generally, as a friend and supporter of the Administration in general cases, but as possessing and professing a personal independence of spirit, which left him at liberty to oppose the Administration on some of the most important questions which are ever presented to this House. That was what I meant by saying that there were six and a half friends of the Administration on that committee—nothing more and nothing less. I referred to the personal disposition of one member as to party and party questions coming before this House. As to the other members of the committee, I do not know but my estimate may be in some degree incorrect. There is another member I have classed as among the devoted friends of the Administration and faithful to the usages of the democratic party, but who, it is possible, may not be willing to avow himself so far a party man; and possibly I may be justified in referring to that gentleman on this particular question: I mean the Representative from Michigan, [Mr. Crary.] I say on this question, because the Legislature of Michigan is one of those which have protested against the admission of Texas into this Union. I do not know but that every vote he has at any time given, having any bearing on this subject, has been strictly in conformity with the views expressed by the Legislature of his

own State. If so, he can explain for himself, and state his own views, and let the House and the country know how far he does agree with the Legislature of his State. Because I have, by an inference which, perhaps, will not be admitted by all the members of this House, considered the annexation of Texas as being, and as intended to be, an Administration measure, I trust, before I release the House from the tedious task I am at this moment inflicting upon it, that I shall assign some reasons for this inference. I say that it is strictly an Administration measure, intended so to be, so that, should public opinion ever favor it, the Administration may take advantage of the fact. If the Representative from Michigan agrees in views with the Legislature of his own State, I shall be happy to hear him say so, and to say it explicitly. And, would to Heaven I had the privilege of polling every member of the House at this moment on that subject! Then there would be none of this obfuscation, of this mystification, which must ever continue as long as the House closes its doors against all discussion of the subject. I shall be happy to hear the Delegate from Michigan declare his political creed, and that as clearly, as explicitly, as earnestly as the Legislature has done of that State whose People he represents on this floor.

I was considering the great importance of the resolutions of the State Legislatures; and in what I said I had reference as well to the resolutions of States which desire the annexation as of those who are opposed to it. Of Legislatures of this description there are three, I think. The first I shall notice is the Legislature of Alabama. She has advanced a number of considerations deserving of the fullest attention, examination, and scrutiny, and of refutation, so far as they are capable of being refuted. To do so would, in my opinion, be among the duties of the Committee on Foreign Affairs; and will be of any committee to which the resolutions, memorials, and petitions on the general subject may be referred. For I do not disguise to myself the desperate condition of the resolution of my colleague, [Mr. CUSHING,] after what has taken place in this House. But I beg members of this House to consider that if they shall ultimately—as I suppose they will—cut short this discussion by calling the previous question, or by laying it on the table, they will not thereby escape the same question at the next session. If I shall have being and breath, I here promise them that the question shall be brought up again; whether it will be under more favorable auspices is for time alone to disclose. I do not think it possible that even this Congress can persevere in closing its doors against all discussion. I do not, cannot think that is possible. But if this Congress do so, and if, after seeing what the feeling of the People of the United States is respecting the gag they have put on this House, and on their own mouths, that act shall by them be repeated, I entertain the hope that another Congress is at no great distance, when we shall hear nothing of the gag, or of a resolution first to receive, and then not to consider, but to lay on the table, memorials or petitions from the People on any subject whatever. There is a reform for the People of the United States to effect. I thank Heaven there is reason to conclude they are seriously thinking of it at this time.

I will spare the House from reading and commenting at length upon the arguments in the preamble of the resolutions from Alabama. I will send only one short passage to the Clerk's table, which I will thank him

to read. The House, on hearing it, will perceive that I have, myself, an interest in a fair and free discussion of this resolution.

[The extract was read, as follows:]

"And when it is recollected, too, that the very territory which it is now proposed to acquire was once within the scope of a just claim of our General Government, extending to the Rio del Norte, and that it was bartered for a mess of porridge by a prime-mover of the present opposition to its reacquisition, there remains no pretext for a subterfuge, under which the adversaries of annexation can hope to disguise the *covert* designs which, there is much reason to fear, prompted the exchange of our claims in Texas for the unappropriated portions of Florida, consisting mainly of barren sands and poisonous everglades."

Sir, there is a part of that paragraph which, when the subject comes up, I must turn over to the respectable gentleman, the Delegate from Florida. I hope he will feel himself called upon, for the honor of the Territory he so ably represents here, to vindicate it a little, so far, at least, as to show that it does not consist of "barren sands and poisonous everglades."

But there is another point here introduced, on which I, as an individual, may fairly claim the right of discussion in this House, in a document submitted to the House under the authority of the Legislature of a sovereign State, and pointing to an individual in whom I cannot forbear to recognise myself. (If the passage is not so understood by the members of the House, it shows that I have been in a great error.) I am here represented by an act of a Legislature which I respect, as I do every one of the members of this great and mighty Confederacy, and whose members on this floor, every one of them, I respect personally and politically; and I consider myself as having a right to call on this House to permit me to vindicate myself from a charge of so serious a character—no less than that of having bartered for a mess of porridge a territory of high value to all, and to which we are represented as having had a fair and just claim. It is not my intention to enter into the subject now: it would occupy too much time: and some may already consider me as abusing the indulgence of the House. I shall enter into no discussion which is not necessary for the full knowledge and elucidation of the subject. Sir, this charge is not a new one in this House. It was made here two years ago by an honorable gentleman from South Carolina, and, on a brief explanation I at that time gave, he professed himself to be entirely satisfied. I thank him for the liberality of his concession made on so brief an explanation.

[Mr. WADDY THOMPSON here explained, and said that he never had advanced any "charge" on this subject against the honorable gentleman from Massachusetts, but had said that others did. It would be criminal in me to hesitate to admit that he acted throughout that matter both as a statesman and an enlightened patriot.]

I thank the gentleman for his ready and frank admission; but, sir, there is a long story connected with this matter, and now, though it is two years since the charge was fully refuted, it appears before this House in an act of a Legislature of a sovereign State, and it is presented as one of many strong motives here urged to induce the People of the United States to consent to the annexation of Texas. I will not discuss it now. But at a proper time I hope to be permitted to show that I never did consent to barter away this or any other right of the People of the United

States for an alleged equivalent of inferior value ; but, on the contrary, that this very claim which the Legislature of Alabama thinks so just and fair, and which the gentleman from South Carolina [Mr. THOMPSON] still continues to think a just claim, and which has been so laid down in another place, as if the matter did not admit of dispute, is as flimsy a claim as ever was set up by one nation against another. This I am prepared to show. It was no right. It was a claim. It was a claim of all the territory to the Rio del Norte, when, in fact, there never had been a division of that territory, or an adjustment of that claim with another and much better authenticated adverse claim of Spain. On what ground is the accusation brought against me of bartering away this territory for a mess of porridge? What pretence is there for such an accusation, when I was but the scribe, but the pen in the hand of the President in an Administration in which there were two thirds of its number from that portion of the Union which now manifests so strong an interest in behalf of the annexation of Texas to this Union? When every line and every sentence of the treaty was sanctioned by that Cabinet, and when every Senator of the United States, from North, South, East, and West, confirmed it by his vote, and not a voice was raised against it. The sentiment was unanimous in the Senate, and it became equally unanimous throughout the Union, that the treaty was one of the most favorable ones for us which ever had been concluded since the United States became a nation. I hope the time will come when I shall have an opportunity of presenting such a demonstration of this as shall leave no doubting mind, not even in Alabama.

While I am on this subject, I feel justified in referring to another document, a call for which was, by the great courtesy of this House, denied to me ; I mean a report of a committee of the House of Representatives of the State of Mississippi, to which our attention was invited in an Executive message, but which paper was not communicated to this House, as, in my opinion, it ought to have been at the time. In that report, (and I have seen it,) this same charge is made, and with much greater aggravation than in these resolutions of the Legislature of Alabama. I did hope that I should have had an opportunity before this House, before my country, and before God, to bring those charges to the test, and to show whether or not they had any foundation.

I pass that now, and come to the last of the State resolutions, which are those of my native State of Massachusetts :

“COMMONWEALTH OF MASSACHUSETTS, 1838.

“*Resolves against the annexation of Texas to the United States.*

“Whereas a proposition to admit into the United States, as a constituent member thereof, the foreign nation of Texas, has been recommended by the legislative resolutions of several States, and brought before Congress for its approval and sanction : and whereas such a measure would involve great wrong to Mexico, and otherwise be of evil precedent, injurious to the interests and dishonorable to the character of this country : and whereas its avowed objects are doubly fraught with peril to the prosperity and permanency of this Union, as tending to disturb and destroy the conditions of those compromises and concessions entered into at the formation of the Constitution, by which the relative weight of different sections and interests was adjusted, and to strengthen and extend the evils of a system which is unjust in itself, in striking contrast with the theory of our institutions, and condemned by the moral sentiment of mankind : and whereas the People of these United States have not granted to any or



all of the departments of their Government, but have retained in themselves, the only power adequate to the admission of a foreign nation into this confederacy: therefore,

*"Resolved,* That we, the Senate and House of Representatives in General Court assembled, do, in the name of the People of Massachusetts, earnestly and solemnly protest against the incorporation of Texas into this Union; and declare that no act done, or compact made, for such purpose, by the Government of the United States, will be binding on the States or the People.

*"Resolved,* That his excellency the Governor be requested to forward a copy of these resolves, and the accompanying report, to the Executive of the United States, and the Executive of each State; and also to each of our Senators and Representatives in Congress, with a request that they present the resolves to both Houses of Congress."

It will be observed that the last of these resolutions is an instruction to her Senators and a request to her Representatives to present these resolutions in both Houses. Now, again, I ask, is it possible that the chairman of the Committee on Foreign Affairs will attempt to justify his committee in not taking these resolutions into consideration, and not reporting upon them, on the ground that there exists no proposition for the annexation? In the resolutions of the other States there is a proposition, a direct proposition. Surely it will not be said, when any petitions or memorials from private individuals are referred to a committee, that the committee may refuse to report upon them "because there is no proposition on the subject before the House." Here is a direct counter proposition to the proposition of those States whose resolves call for the annexation. I again entreat the members of this House to read the resolutions for and against that measure, and to put it to their consciences whether they can refuse to take those propositions into consideration, and whether they can justify the Committee on Foreign Affairs in making a report upon the resolutions without ever looking into them. I entreat this as a charge of duty on the conscience of every member of this House.

The resolutions of Massachusetts were presented on the 21st of May by my colleague, [Mr. BRIGGS.] Then, for the first time, the House did deliberately refer the resolutions of a State Legislature to the Committee on Foreign Affairs. This was no inadvertence; it was done deliberately, on a formal motion made by myself. A gentleman from Georgia [Mr. HAYNES] had objected to the motion, but withdrew his objection, and the House then referred the resolutions. They were referred as a mark of respect, for which I, as one of her Representatives, felt grateful. Little did I expect that the committee would turn them back on this House with the declaration that they never looked into them, or with a denial of my right to ask whether they had considered them or not. They were deliberately, I will say solemnly, referred to that committee.

Then, four days after, all the resolutions of State Legislatures, and all the memorials, petitions, and remonstrances of individual citizens on the same subject, were again referred to that committee.

I have the opportunity, in referring to the resolutions of my native Commonwealth, of noting some reference to this subject, and particularly to the agency I had in this House and in this country in regard to it, which was made in the Legislature of Texas. I hold in my hand the report of proceedings in that Legislature, of a very recent date. It records that a joint resolution was introduced into that body for the

*withdrawal* of the application on the part of Texas to be admitted into the United States, which was founded on the reception here of that application, and the opposition to it manifested by the People of this country.

[Mr. A. here read from the report the vote on the joint resolution referred to, as follows:]

#### “ANNEXATION.

“The joint resolution to withdraw the proposition for annexation was taken up, the House being agreed to reconsider the vote of yesterday upon that subject. After some amendments the votes were again taken on the resolution, which was lost.

“**AYES**—Messrs. Brennan, Douglass, Gazley, Gant, Jones, of Brazoria, Jack, Menifee, Patton, Ponton, Rusk, Rowlett, Thompson, and Thornton—13.

“**NOES**—Messrs. Speaker Branch, Burieson, Billingsly, Boyd, Griggsby, Harde-man, Hill, Linn, McKinney, Pierpont, Sutherland, Swift, Wyatt—14.”

There is the vote, sir. Ayes 13, noes 14. So, by a majority of one member of the House of Representatives of Texas, that body has refused to withdraw its application for annexation to this Union. Here I must be permitted to observe, that there is in this newspaper publication more explicitness and candor than I was able, or than this House was able, to obtain from the President of the United States. I offered a resolution calling on the President, if it were not incompatible with the public welfare, to inform us whether that application had or had not been withdrawn. In answer to this call we had a letter from the President, referring us to an enclosed letter of the Secretary of State; which letter of the Secretary I here recommend as one of the completest specimens of mystification ever sent to this House. It does not say whether the application has been withdrawn or has not been withdrawn. The substance of it is, that, after the rejection of the first proposition, made by the Plenipotentiary of Texas, the Executive Government thought the subject beyond its control. That was not the question asked. The question was not about their thoughts; but whether the proposition for the annexation of Texas to this Union had or had not been withdrawn. It was the act of a foreign Government about which we inquired, and not into the opinions, clear or muddy, of the Executive Government; whether they considered the subject as within their control or without their control. It has been said of the People of the part of the Union from which I come, that you cannot get a direct answer from them to a plain question of fact; surely, then, we must have a Yankee Secretary of State, for it seems we cannot get any direct answer from him. But, though we cannot get the answer from him, here it is. The proposition has not been withdrawn. It is still in existence. And I will ask the patience of the House a little longer while I read to them some of the reasons assigned in the Texas Legislature for and against the resolution to withdraw it.

[Mr. A. here quoted debates in Texas, as follows:]

“Before the votes were taken, several gentlemen proceeded to express their views upon the subject.

“Mr. Jones read extracts of a letter from our Minister at the Court of St. James, setting forth the friendly feeling on the part of the British Government towards this Republic, whose ability, however, to maintain her independence, the letter observed, was doubted in England. With regard to the United States, the question of annexation was there considered as involving a war with Mexico, and was consequently hopeless.”

Here they say that, owing to the danger of a war with Mexico, the annexation is "hopeless:" just what the Secretary of State told the Texian minister, and just what the chairman of the committee told this House. The inference I draw from this language is, that, were it not for fear of a war with Mexico, the measure would *not* be "hopeless."

Mr. CAMBRELENG here inquired of the Chair whether the morning hour had not expired?

The CHAIR replied that it had.

Mr. A. entreated for sufficient time to read through the report of these Texian debates. By general consent, the leave was given, and Mr. A. proceeded:

"England was interested in severing Texas from Mexico, but would never recognise our independence so long as we continued to request annexation to the United States."

From this, said Mr. A., it appears that England has been too wise to recognise the independence of Texas so long as her application continues for admission into our Union.

Mr. A. read on:

"There were interests, too, in the United States that clashed with our own. Here Mr. Jones read several passages of a speech by the honorable John Quincy Adams, upon the subject of the annexation of Texas to the United States, to show the feeling upon the subject in the States north of the Potomac.

"Mr. Rusk was in favor of an immediate withdrawal of the proposition for annexation. Even were the scheme desirable, it was impracticable. The benefits, too, would all be on the side of the United States."

This last assertion caused him some merriment. He continued to read, where the Texian orator was saying that "to the People of the United States Texas owed much, to the Government nothing." How that may be, said Mr. A., I leave as a question between Texas and the Administration.

He proceeds:

"A large proportion of the People, however, opposed the annexation of Texas to their country: it would give strength to the South, and that was what they were determined the South should not have. Self-respect required of us to lose no time in withdrawing a hopeless proposition; let us stand or fall upon our own merits. Even if we were willing to give to the United States all the advantages of the contract, she would not receive us. The matter, as it now stood, operated unfavorably to us with regard to England, who, if she once saw that we were to stand upon independent ground, would be led by her interests to cultivate our friendship, and would, at once, recognise our independence. On every view of the subject that could be taken, it was highly desirable that we at once withdraw the proposition for annexation.

"Mr. Gant concurred with Mr. Rusk in most of his arguments.

"Mr. Hill doubted the right of Congress to withdraw the proposition. The People had directed it to be made, and would, if necessary, direct it to be withdrawn."

This Mr. Hill seems a very sensible gentleman; his speech certainly contains a great deal of sound sense. He expressed a doubt whether the Government of Texas was authorized to withdraw its application to us for annexation. His doctrine is, that that withdrawal can be made only by the People of Texas.

Mr. A. here again read on:

"Mr. Thompson contended for the right of Congress to withdraw the proposition, which he thought ought to be withdrawn.

"Mr. Branch was in favor of annexation. A large portion of the People of the United States were also in favor of it.

"Mr. Swift rose and observed that he felt it incumbent upon him to assign his reasons for the vote he was about to give. He could not view the fact as to the United States Government abstaining at this time from any action on our proposition of annexation, as closing the door finally against all action on the subject. So far as his (Mr. Swift's) constituents were concerned, it was due to them to say that they were in favor of annexation to the United States. The House had heard it gravely maintained, that one of the Representatives from the State of Massachusetts (Mr. John Quincy Adams) was at the head of a crusade pledged to the overthrow of certain institutions among us. If this be so, said Mr. S., that leader cannot at all events boast of many followers. His (Mr. Adams's) own State distinctly disapproved of the course upon that explosive subject. The criterion, then, by which it had been sought to judge of the sentiments of the People of Massachusetts upon the subject in question, was, to say the least, no criterion at all. He (Mr. S.) had recently received a letter from Massachusetts, stating the fact, that the course pursued by Mr. Adams, in relation to slavery, had failed to receive the sanction even of his immediate constituents. Of the delegation from Massachusetts, Mr. Adams had, perhaps, three out of twelve with him upon that subject. In a public meeting held not long since at Faneuil Hall, Boston, whose walls had been accustomed to echo the plaudits with which a brave and patriotic People were wont to greet the eloquent and spirit-stirring appeals of the sages and freemen of Massachusetts—at a public meeting held in that memorable hall, the citizens of Massachusetts had passed sentence of condemnation upon Mr. Adams and those who acted with him."

Here, sir, is a gentleman in this Legislature of Texas, alleging that my course has been disapproved of by my own State. My course in resisting the annexation solemnly disapproved of by my own State! Indeed! What then do these resolutions mean which have been sent here by her Legislature?

Again he informs that body that I am supported by *three* out of the *twelve* Representatives, my colleagues from Massachusetts. Sir, I should very much like to know who are the *three* Massachusetts Representatives who agree with me in opinion on this matter, and who are the *eight* who disagree. He says there was a public meeting held in Faneuil Hall, the cradle of American liberty, (and so it was,) when my course in relation to slavery—(ah! sir, to slavery, not to Texas; you see he cunningly shifts the issue)—in relation to slavery was publicly and solemnly condemned. Now, when my colleagues have done me the honor to inform this House who are the three and who the eight, for and against my course in relation to Texas, I hope they will further inform me, and inform this House, when it was that a meeting in Faneuil Hall solemnly condemned my course either as to slavery, or as to the annexation of Texas to the Union.

Mr. A. again read on:

"Let us not be deceived, then, as to the opinions of the People of the North upon this subject. With regard to the subject of annexation, Mr. Swift said he felt bound to vote in accordance with the known wishes of his constituents, who were opposed to the withdrawal of the proposition. There was another reason, of some importance, that had a bearing on the question. The withdrawal of the proposition would crush the hopes of thousands of emigrants from the United States who were daily pouring in upon our shores, buoyed up by the anticipations of a speedy union of this country with the one they had left. Whence, in any future time of need, are we to look for that aid which had already enabled us to roll back the tide of Mexican invasion, and hold out defiance to the tyrant of the West? Will it come from England? Will England marshal her chivalry upon our prairies, or open her thunders upon the Gulf, in response to our call? No! To the People of the United States are we indebted for what we have achieved, and for being what we now are. Let them not come among us, then, only to listen to slanders upon themselves and the gallant men they have left

behind them—let them not have cause to exclaim, ‘Ingratitude, thou marble-hearted fiend!’”

Mr. HARLAN, of Kentucky, here demanded the orders of the day, and Mr. A. resumed his seat.

FRIDAY, JUNE 22, 1838.

The report of the Committee on Foreign Affairs in relation to Texas being again under consideration as the unfinished business of the morning hour—

Mr. ADAMS said that, at the expiration of the morning hour on the preceding day, he had been interrupted while engaged in reading portions of a debate in the Legislature of Texas upon the subject of the annexation of that Republic to this. He had done this in connexion with the memorials and resolutions of the different Legislatures which had acted upon this subject; they were illustrative one of the other. He had nearly finished the reading of the debate, when the arrival of the hour to take up the orders of the day had put a peremptory end to his remarks for that time. He had been reading particularly from the reported remarks of a member of the Texian Legislature, by the name of Swift: the subject in discussion being the proposition to withdraw the application for admission to this Union; and he, the speaker, being opposed to that proposition. This member had made much allusion, in the course of this speech, to himself, (Mr. A.) and to his previous action on the subject of the annexation, and, among other things, had stated that he (Mr. A.) was not sustained by his colleagues in that course of action upon that floor, nor by the great mass of his immediate constituents. Mr. Swift had said:

“The House had heard it gravely maintained that one of the Representatives from the State of Massachusetts (Mr. J. Quincy Adams) was at the head of a crusade pledged to the overthrow of certain institutions among us. If this be so, said Mr. S., that leader cannot, at all events, boast of many followers. His (Mr. Adams’s) own State distinctly disapproved of his course upon that subject. The criterion, then, by which it had been sought to judge of the sentiments of the People of Massachusetts, upon the subject in question, was, to say the least, no criterion at all. He (Mr. S.) had recently received a letter from Massachusetts, stating the fact, that the course pursued by Mr. Adams, in relation to slavery, had failed to receive the sanction even of his immediate constituents. Of the delegation from Massachusetts, Mr. Adams had perhaps three out of twelve with him, upon that subject. In a public meeting, held not long since at Faneuil Hall, Boston, whose walls had been accustomed to echo the plaudits with which a brave and patriotic People were wont to greet the eloquent and spirit-stirring appeals of the sages and freemen of Massachusetts—at a public meeting held in that memorable hall, the citizens of Massachusetts had passed sentence of condemnation upon Mr. Adams and those who acted with him.

“Let us not be deceived, then, as to the opinions of the People of the North upon this subject.”

Mr. ADAMS resumed his remarks, and observed that although this authority did not seem very powerful as to the wishes and opinions of the People of the United States on this subject, it was still useful as showing to the country what were its actual relations to the Republic of Texas, especially so far as those relations were connected with those of Mexico and the United States; and yet more particularly, when this nation is in some danger of war with another country, and this Government is called on to enact laws for restricting its own citizens from giving aid to foreign rebels in its own borders.

"With regard to the subject of annexation, Mr. Swift said he felt bound to vote in accordance with the known wishes of his constituents, who were opposed to the withdrawal of the proposition. There was another reason, of some importance, that had a bearing on the question. The withdrawal of the proposition would crush the hopes of thousands of emigrants from the United States who were daily pouring in upon our shores, buoyed up by the anticipations of a speedy union of this country with the one they had left. Whence, in any future time of need, are we to look for that aid which had already enabled us to roll back the tide of Mexican invasion, and hold out defiance to the tyrant of the West? Will it come from England? Will England marshal her chivalry upon our prairies, or open her thunders upon the Gulf, in response to our call? No! To the People of the United States we are indebted for what we have achieved, and for being what we now are," &c.

Now, manifestly, as it was the wish and desire of the chairman of the Committee on Foreign Affairs that the annexation should be accomplished, yet it could not but have been anticipated that that committee would have thought the subject one worthy of its consideration. The fact was, that committee were in favor of the consummation of the thing. The rules and orders of the House made it their bounden duty to report on it: and it was equally their duty to inquire into the principle of the right of any department of this Government to consummate such a project as the annexation of a foreign People to this Union, without the express sanction of the People of this Union themselves. In his (Mr. A's) opinion it was a paramount duty to look into the resolutions and memorials submitted to the committee, to see whether or not such a principle was contained therein, and to report thereon. The nation had a right to know the opinions of the House on this question; and the House had a right to demand the opinions of the committee thereon, in order to discuss and to settle it properly.

Besides the seven Legislatures, whose proceedings upon this subject had been laid before the House, Mr. A. said there were yet others which have acted, although not decisively, with regard to it. Even in the very paper from which he had been reading a report of the debate in the Texian Legislature, and which he still held in his hand, there was a statement of a transaction in the House of Assembly of the State of New York upon this subject. The paragraph was as follows:

"The Assembly of the State of New York, by a vote of 80 to 13, [only about seven to one, Mr. Speaker, said Mr. ADAMS, of the Representatives of 'the empire State,' 'fresh as possible from the People,'] have adopted the following resolution: *Resolved*, That the admission of the Republic of Texas into the Union would be entirely repugnant to the will of the People of this State, and would endanger the union of these United States."

And what (continued Mr. ADAMS) is the Texian commentary on this resolution? Hear it:

"We little thought the empire State would be found taking the lead *with the abolitionists*."—

Another repetition (said Mr. ADAMS) of those artful attempts which have been made in various quarters to represent that portion of the People of this country opposed to the annexation of Texas as being identical with abolitionists.

"When, true to her great name, she so nobly cast from her bosom that foul offspring of ignorance and bigotry, political anti-masonry, we fully believed that a new and bright career was opened before her."—

Sir, (said Mr. A.,) I recommend this passage to my friends and co-anti-masons ; for, sir, having been one of that party myself, I cannot but take this as one of the greatest compliments ever paid to it from any quarter.

"But when we behold her again bowing her proud head, and yielding herself up to the vile influence of the most despicable and degrading of political crimes—abolitionism—we cannot but look upon her with mingled feelings of abhorrence and regret."—

Hear that, (said Mr. ADAMS,) Representatives of the State of New York ! Bow, bow submissively to the burden of Texian abhorrence which has so calamitously been cast upon you !

"And fear that she is sinking into an abyss of odium, from which even the bright names of her Clintons, her Fultons, and her Livingstons, can never rescue her."

That, sir, (said Mr. ADAMS,) is Texian morality. These, sir, are Texian politics ! And on whom are they herein brought to bear ? On the Representatives of the People, freshly chosen, to sit in the General Assembly of the empire State of New York, in the proportion of 80 to 13 !

Now, Mr. A. did not doubt but that information might have been transmitted from the city of New York to some of the members of the Texian Legislature, informing them that the State was not opposed to the annexation, and that her Representatives were, seven to one, abolitionists ; that was very probable. And the editor of the Houston Telegraph might have made up his opinions from such information. Nothing more likely. But the result of the whole matter was this : it was emphatically the duty of the Committee on Foreign Affairs to consider deliberately, and report decisively, upon the feeling existing in the country upon this question, North and South, as well in the State of New York as in that of Alabama, or any Southern State. Thus the question would have been brought properly and palpably before the House, and then it could have been ascertained "who was for the Lord, and who was for Baal ;" who was for the annexation of Texas, and who for the purity of the Union ; when an opportunity would have been allowed to some of the Representatives on that floor from the denounced State of New York to show themselves more true to their country than to their party, and thus to maintain here the declared will of their constituents, that they desire no connexion with this "great and glorious" slavery-restoring Republic of Texas. Mr. ADAMS said that he still hoped that such a vote, by yeas and nays, might yet be taken in that House. And it was this hope that, to his mind, afforded strong reasons for wishing the whole subject to be referred to a committee, that would bring in an argumentative report upon it, and in which the reasons, *pro* and *con.*, should be stated at large by the committee. He believed that the resolution which he had been commenting on had been checked and defeated in the Senate, after so triumphant a passage by the Assembly, by the friends of the National Administration—"the Northern Administration with Southern principles," as it had been called. It was stopped by them, contrary to the deliberately declared will of four fifths of the People of New York, of that "democracy of numbers," of which so much had been said by certain political leaders ; and this, for fear that its passage might disagreeably affect the popularity of the heads of that Administration. If he was in error in this suppo-

sition, he should no doubt be corrected by some of the delegation from that State in the House.

A similar opposition had manifested itself in Pennsylvania. With regard to the question of annexation in the Legislature of that State, he had, however, no official documents before him. But he felt warranted in the supposition that the same influences were at work, operating there, as in the Legislature of New York. A gentleman from that State, near me, said Mr. A., [Mr. POTTER,] shakes his head. Do I understand by that that the portion of the Pennsylvania Legislature who passed the resolutions with regard to Texas were unfriendly to the present National Administration?

[Mr. POTTER here rose, and remarked that the majority in the House of Representatives of Pennsylvania were hostile to the Administration. Why the resolution in question was not acted on by the Senate of that State, he was entirely unable to say.]

Well, then, resumed Mr. ADAMS, in the absence of certain information upon the subject, he would leave Pennsylvania where she had left herself; but he still trusted the day was not far distant when the People of that State would express themselves through their Representatives with relation to this subject, as clearly and decidedly as those of New York had done. For he did not in the least doubt that the non-action of the Senate, as well as the action of the House of Representatives of Pennsylvania, upon the occasion alluded to, did not express the real sentiments of the People of that State; nor did he doubt that, had this been faithfully done, the sentiments of the People of that State would have been found identical with those of the People of the State of New York upon this important question.

Mr. A. next adverted to the fact that the Legislature of South Carolina had acted upon this question, and had adopted certain resolutions with regard to it. Those resolutions, however, had never been presented to the House; why, he could not say.

[Mr. ELMORE here remarked that such resolutions had, indeed, passed the two Houses of the South Carolina Legislature, unanimously. But they had not yet been forwarded to the Representatives of that State in Congress.]

Mr. ADAMS resumed. That, of course, sufficiently accounts for their not being presented here. Yet it was most obvious that they had operated as strongly upon the action of gentlemen from that State on this floor, as he hoped that those would do upon the Representatives from New York, which had been adopted by so overwhelming a majority of the House of Assembly of that State; especially as there was a Representative from the State of South Carolina upon that floor, one of the ablest members of that delegation, and of the House, who was a member of the Committee on Foreign Affairs, and who had declared in his place that he had not looked into one—"no, not a single one"—of all the memorials and State resolutions referred to that committee by the House. Perhaps, the reason with him for acting thus was, that the resolutions from his own Legislature had not been forwarded to him officially; and that, therefore, it was not his duty to look into the proceedings upon this subject of other Legislatures. Mr. A. was sorry that this was so. He was sorry to observe the progress of this principle of *suppressing* in that



House ; for he considered this action, or rather non-action, of the Committee on Foreign Affairs upon the matters referred to them as a part of that general system of *suppressing*. He looked upon it as a matter of far greater consequence and moment than the currency questions which agitate that House so constantly, and which, compared with this important subject, he considered to be but as dust in the balance, and not worthy to be named.

While he was upon this subject, he begged leave to address a few words to the friends of the Administration in this House. The system of suppressing freedom of petition and freedom of speech upon that floor was one that was bringing upon the House the deepest obloquy. He believed it to be the chief cause of the odium into which the Administration had fallen of late. The adoption of this principle had been carried at the dictation of slaveholders, who had been suffered to carry into effect the proceedings of an unconstitutional conventicle of that and the other House, in which that principle was concocted, and from a participation in which concoction the Representatives from free States had been excluded. And yet they had suffered that conventicle to bring up their odious resolution, and cram it down their throats, telling them, in effect, this is our law, and you must take and swallow it, no matter how difficult to digest it may prove, if not to you, to your constituents. And (added Mr. A.) there is the list of yeas and nays upon your Journal, in which you may see who these Representatives from the free States were.

[Mr. LEGARE here rose, and asked if the remarks of the gentleman from Massachusetts were in order, under the pending motions to amend.

The CHAIR replied that the amendments under consideration opened the whole subject of the annexation of Texas, and the propriety of a reference of that subject to several different committees. Still, a discussion of a topic distinctly separate from these would not be in order. The CHAIR was not prepared to decide that the gentleman from Massachusetts was out of order.]

Mr. ADAMS resumed. He would say no more upon the point at which he had been interrupted. He would spare the feelings of the gentleman from South Carolina, [Mr. LEGARE.] He had been addressing the friends of the present Administration who represented upon that floor the People of the free States, and had been reminding them of the odium and discredit which had been by them brought upon the Administration of which they were supporters, by suffering this gag to be forced upon them, to the suppression of all debate on subjects which it is the peculiar province of the body of which they are members to consider. If it had been their object to bring odium on the Administration, they could not have done it more effectually.

[Here Mr. BOON rose, and said that he had been toasted in Indiana, at a large popular meeting, where three thousand people of all political parties were present, for the vote he had given on the occasion alluded to.]

Well, sir, (resumed Mr. A.) I hope the toast gave the member from Indiana great consolation. [Laughter.] But the toast does not at all interfere with my argument or my exhortation. And how was this system of heaping odium upon the Administration by its own friends begun? With a resolution passed through the House by the previous question, on a report made by a gentleman from South Carolina, now not a mem-

ber of this House, [Mr. PINCKNEY.] This, sir, is the point of commencement. This was the first that we heard, sir, of this House violating the right of the People of this country to petition, and that of their Representatives to speak, upon this floor. Sir, I will do justice to the members from South Carolina, and some others, who were ashamed of this proceeding, and who endeavored at the time to put a stop to its progress, taking, as they boldly and frankly did, the ground that the House had no right to act in any manner upon the question. But those gentlemen were in a minority of their own friends, and were obliged to submit to the majority in this matter. At length, they were in favor of receiving these petitions, &c., and then passed an order that they be not read or considered. And it was this proceeding on the part of the House, Mr. A. would repeat, which had brought such a weight of odium upon the Administration, which was in so large a majority at that time in that House. It was an unworthy evasion of the question the House was called on to meet; there it began, and ever since, from that time to the present, all petitions, memorials, and resolutions, in any way relating to slavery and the slave trade, have been laid on the table, without consideration, or even reading; and this was the process whereby the right of petition had been broken down.

[The CHAIR interposed, with the remark that this subject was not before the House.]

Mr. ADAMS resumed. He had been showing that the House had fallen under the general odium, by reason of its having systematically suppressed the sacred rights of speech and petition; and he had been about to show that that odium had been greatly deepened by the course pursued by the House with regard to petitions and legislative resolutions upon the Texas question. He was proceeding, he said, to show that the proceeding of the Committee on Foreign Affairs with regard to the subjects referred to them, and which were now under consideration, was a part of this system, and was urging upon the friends of the Administration, in consideration of their interests, and those of their constituents, the expediency and importance of restoring the better state of things that once existed, when the sacred rights which had been violated were recognised and protected upon that floor.

He now came to another step in the progress of this system of suppression. This was, to lay on the table all papers that might be offered relating to Texas. This proposition was for some time systematically made, sometimes in one form, and sometimes in another, by different members. The chairman of the Committee on Foreign Affairs [Mr. HOWARD] had designated these propositions as disturbing causes of excitement, &c., and had told the House that the subject ought not to be discussed, that it was best to let it alone, and that the House should not act the tragedy of *Agitation*, but the pantomime of *Hush*. This was another step forward in the work of suppressing the freedom of petition. The next he would mention was that taken with reference to the petitions upon the Indian relations of the country. Though the cases were different in character, yet the process having been once instituted, it went on, and swept away all these Indian petitions and memorials in its path. There had been presented to the House the petitions of fifteen thousand Cherokees, and hundreds of petitions from the People of the

United States, upon this subject; and what had been done with them? By "inadvertence," the motion to lay on the table the Cherokee petitions was by a majority of one vote rejected; but very soon afterwards the party rallied again, a reconsideration of the rejecting vote was moved and carried, and, without looking into the petitions, they were all laid on the table. The suppression system was applied to them all.

[Here Mr. ADAMS suspended his remarks, the morning hour having elapsed.]

SATURDAY, JUNE 23, 1838.

[Note by Mr. ADAMS.]

In his argument on the 14th of June, urging the recommitment to the Committee on Foreign Affairs of the resolutions of seven State Legislatures and the petitions of more than one hundred thousand petitioners, relating to the annexation of Texas to this Union, which had been referred to the committee, and upon which the committee had reported, without looking into one of them, the first point of controversy upon which Mr. ADAMS took issue with the reporter, [Mr. DROMGOOLE,] the chairman, [Mr. HOWARD,] and another member of the committee, [Mr. LEGARE,] was on the *duty of the committee*, by the 76th rule of the House, to take into consideration, and report their opinion upon, the matters referred to them by the House. Mr. DROMGOOLE had refused to answer the question of Mr. ADAMS, whether the committee had *taken into consideration* the resolutions of State Legislatures, petitions, memorials, and remonstrances, relating to the annexation of Texas, and had declared he would not be catechised by him. In this refusal to answer, and denial of the right to question, Mr. DROMGOOLE had been sustained by the chairman of the committee. Mr. LEGARE had declared that he had not looked into *one* of the resolutions, petitions, memorials, and remonstrances, which had been referred to the committee. The point at issue between Mr. ADAMS and the three members of the Committee on Foreign Affairs was the *duty of the committee* to consider and report a deliberate opinion upon the subject and important documents thus solemnly and at various times referred to them by the House. From the exposition of the duty of the committee to the House, he passed to that of the House to the petitioners, to the State Legislatures, and to the whole nation, to treat with respect the resolutions of the Legislatures, and the petitions, memorials, and remonstrances of individuals, respectfully addressed to the House; and he spoke with deep regret and severe animadversion of the resolution of the House, repeated three years successively, condemning all petitions, memorials, resolutions, and papers relating to the abolition of slavery or the slave trade to be laid on the table, without being read, printed, debated, or referred. He considered this resolution of the 25th May, 1836, as the commencement of a *system of suppression* of the right of petition, expressly guarantied to the People by the Constitution, and of the freedom of speech and of debate—the constitutional right of every member of the House; a right, also, of the People, inasmuch as, without it, the Representative cannot possibly discharge his duty to his constituents.

These topics were discussed by Mr. ADAMS in the morning hour of

the 16th of June. On the preceding day (the 15th) the chairman of the committee [Mr. HOWARD] had stated that, in the proceedings of the Legislatures referred to the committee, *there was no specific proposition for the annexation of Texas*, and that there was, therefore, no such proposition before the House, upon which the House, or any committee, could act; and with regard to the *petitions*, he had said that many of them were from *women*, who had disgraced themselves and their country by presenting them.

On the 19th, 20th, and 21st of June, Mr. ADAMS reviewed the proceedings of the House, in *referring* the resolutions of the several State Legislatures, and afterwards all the petitions relating to the annexation of Texas to this Union, to the committee. After *adverting* to the fact that the first petition received by the House at the present session, against the annexation of Texas, had been presented by him, and that it was from 238 *women* of Plymouth, the principal town of the district represented by him, he read, or caused to be read at the Clerk's table, and commented upon the several resolutions of the seven State Legislatures of Vermont, Rhode Island, Ohio, Michigan, Tennessee, Alabama, and Massachusetts; all of which had been referred to the committee, and in which, particularly in the resolutions of Tennessee, there was a distinct and specific proposition for the annexation of Texas, into which the committee had never looked. Mr. A. noticed, also, the proceedings in three other of the State Legislatures, Pennsylvania, New York, and South Carolina, upon this subject, but which had not been formally communicated to the House. And he read and made observations on a recent debate in the Legislature of Texas, upon the question whether the application for annexation to these United States, by that Republic, should be withdrawn.

On the 22d, after finishing his remarks upon the debate in the Legislature of Texas, he made an expostulating appeal to the friends of the present Administration in the House, against that *SYSTEM OF SUPPRESSION* of the right of the People to petition, and of the freedom of speech and of debate in the House, which had commenced with the gag-resolution reported by Henry L. Pinckney on the 25th of May, 1836; and of which he considered this report of the Committee on Foreign Affairs, upon so many resolutions of State Legislatures, petitions, memorials, and remonstrances, without looking into one of them, as a natural consequence, and a most alarming extension. He warned them that this *system of suppression* was doing more to bring odium upon the Administration of the Federal Government, in the minds of the People, than all its other errors put together. He then undertook to trace the progress and to expose the *encroaching character* of this *system of suppression*—applied, at first, only to the subject of slavery and the slave trade, but gradually spreading and absorbing in its despotic interdict almost every *subject of petition*, and almost every *class of petitioners*, including, at last, the resolutions of sovereign States.

In this enumeration of interdicted *subjects* and interdicted *classes of petitioners*, Mr. A. was, on the 22d of June, interrupted by the expiration of the morning hour.

He resumed it on the morning of the 23d; and, by reference to the proceedings of the House, in multitudes of cases, since the resolution

of May 25, 1836, he showed that the precedent then established, of treating with contempt, and refusing to consider, all petitions relating to slavery, by laying them, unread, upon the table, had been extended, not by the general order, but by special motions made in every case, and always sanctioned by the same majority of slaveholders and Northern Administration men with Southern principles: first, to all petitions, memorials, remonstrances, and resolutions of State Legislatures, concerning the annexation of Texas to this Union; next, to the petition of fifteen thousand Cherokee Indians, and to great multitudes of petitions from many States of this Union, imploring mercy, humanity, and justice from this Government to the Indians; then to memorials, petitions, and resolutions remonstrating against the vomiting, by foreign Governments, both in Europe and America, of their vagrant paupers and convicts of their jails upon our shores. Upon some proposition of my honorable colleague [Mr. LINCOLN] upon this subject, said Mr. A., the tainted gale of *abolition* was snuffed by the imagination, if not by the sense, of the slaveholders around him, and the whole subject was LAID ON THE TABLE. Then the contempt of petitions had crept into the committee-rooms, and shed its mildews over the whole subject of the exchanges, currency, and banking. Thus, upwards of forty petitions, from every section of the country, for a national bank, had, at the special session, been referred to the Committee of Ways and Means, and they had reported a resolution against them *without reading them*; and, last of all, the Committee on Foreign Affairs had now crowned the system of suppression by a report, in three lines, upon the resolutions of seven State Legislatures, and the petitions of more than one hundred thousand citizens, *without looking into one of them*. From the interdict of *subjects of petition* from the consideration of the House, he passed to that of *classes of petitioners*; and here it was impossible for him to pass over the formal resolution of the House of Representatives of the 12th of February, 1837, "*That slaves do not possess the right of petition secured to the People of the United States by the Constitution.*" In adverting to this resolution, he observed that it excluded one sixth part of the People of the United States from the mere naked right of petition; that it denied them the right of prayer—the right which is not denied to the meanest and vilest of the human race by his Maker. He proceeded to say that it was the last of a series of resolutions offered to the House, with the avowed object of invoking a sentence of severe censure upon him, by the House, for simply asking the question of the Speaker, whether a petition purporting to be from slaves came within the resolution of the 19th of January, 1837, the gag-law of that session. He said the members of the present House, who had been present on that occasion, would recollect that he had then explicitly avowed the opinion that slaves were not excluded by the Constitution of the United States from exercising the right of petition; and that——

Here the SPEAKER interrupted Mr. ADAMS, and declared him out of order.

Mr. ADAMS insisted that he was not out of order; that he was adducing, by way of illustration to his argument, an historical fact. That he had declared, at the time, that if a petition from slaves, complaining of any grievance or distress, to which all mankind might be liable, and

which it would be in the power of the House to relieve, should be sent to him, and the House would receive it, he would present it; and that since that time.—

Here Mr. LEGARE, of South Carolina, rose and called Mr. ADAMS to order. Calls of order! order! were repeated by sundry other members: there was much confusion in the House, and the SPEAKER ordered Mr. ADAMS to take his seat.

Mr. ADAMS persisted in holding the floor, and in affirming that he was not out of order. He demanded that, conformably to the 23d rule of the House, the words which he had spoken, and alleged to be disorderly, should be taken down in writing; and said that he would then appeal from the decision of the Speaker to the House.

The SPEAKER refused to have the words alleged to be disorderly taken down in writing; said that the Speaker was not, in calling a member to order, bound by that rule. That he called Mr. ADAMS to order for "irrelevancy in debate;" and read the rule that a member shall confine himself to the question under debate; a rule so perfectly vague and indefinite, that the Speaker never resorts to it, unless when sure of being sustained by a majority of the House.

Mr. ADAMS said that this was not a fair statement of the question. That he would not appeal from the decision of the Speaker as so stated; but he still insisted that the words spoken by him, and alleged to be disorderly, should be taken down in writing, and said he would then appeal from the decision. The Speaker, nevertheless, took the question of the appeal, by yeas and nays, upon his own statement, and his decision was sustained by a vote of 115 yeas to 36 nays.

On this decision it is to be observed—

First. That it was upon an appeal not taken—Mr. ADAMS having expressly declared that he would not appeal from the decision of the Speaker upon the question as stated by him—a decision which could never serve as a precedent in any other case, because there would be nothing upon the Journal to show in what the irrelevancy charged upon him consisted. It was a mere arbitrary dictum of the Speaker, pronouncing irrelevant that which had, in fact, the most pointed bearing upon the argument.

Secondly. That of the 115 members who voted to sustain this decision of the Speaker, 69 were of the same persons who, on the 21st of December, had voted for the gag-resolution dictated by the Southern conclave.

Thirdly. That when this vote of 115 to 36 was taken, amounting only to 151, there were 203 members in their seats, 52 of whom, therefore, did not vote at all. The fact that there were 203 members present was ascertained by two other questions by yeas and nays taken within half an hour afterwards, upon both of which 203 names stand recorded.

No part of the speech of Mr. ADAMS, from the 16th of June to the 7th of July, has been reported in the daily Globe; but on the evening of the 23d of June, there appeared in that paper the following *statement* of the occurrence of that day, published, no doubt, with the approbation of the Speaker:

#### "TEXAS.

"Mr. ADAMS proceeded in his remarks on the report of the Committee on Foreign Affairs in relation to the annexation of Texas, and was referring to the right of slaves

to petition, and the proceedings in the House last Congress upon his tendering a petition of that character, stating that he should have no hesitation in presenting a petition from a slave, if his memorial was properly couched, and on a proper subject, or something to this effect. Mr. A. was proceeding in this line of remark, when

"The SPEAKER called him to order, saying that the remarks were irrelevant to the subject under consideration.

"Mr. ADAMS said he was putting an extreme case, by way of illustration, which was in order.

"The SPEAKER again reminded Mr. A. that he was out of order.

"Mr. LEGARE rose, and said he felt compelled to call the gentleman from Massachusetts to order; and cries of order were heard in various parts of the House.

"Mr. ADAMS called upon the Speaker to reduce the disorderly words to writing, and appealed from the decision of the Chair.

"The SPEAKER said the Chair could not be called upon to reduce remarks made out of order to writing. It had never been known, either by any rule, or by parliamentary usage; and if such a course could be sustained, it would continually bring the Chair into conflict with members, and would render it impossible for the House to proceed with its business.

"Several members referred to the twenty-third rule of the House, which requires that disorderly words shall be reduced to writing.

"The SPEAKER said he was perfectly aware of that rule, and it applied to cases where one member called another to order for disorderly or personal remarks, and not to the Speaker when he called a member to order for irrelevant remarks, for the rule says the Speaker *shall* call members to order, and makes it imperatively his duty.

"Mr. ADAMS called for the reading of the rule by which the Speaker called him to order, and refused to reduce the objectionable remarks to writing.

"The SPEAKER read the rule requiring that a member 'shall confine himself to the question under debate,' and said he had called the gentleman from Massachusetts to order for irrelevancy in debate. As he was about to put the question on the appeal from the decision of the Chair,

"Mr. ADAMS again insisted upon having the words reduced to writing.

"Cries of 'order!' 'order!'

"The SPEAKER directed Mr. ADAMS to take his seat.

"Mr. ADAMS continued to hold the floor, and persisted in demanding that the words should be reduced to writing, and said he would then appeal, but he would not appeal from the decision in the form in which the Speaker had put it.

"The SPEAKER then put the question upon the appeal; and the decision of the Chair was sustained, as follows: Yeas 115, nays 36.

"So the decision of the Chair was sustained by the House, and Mr. ADAMS thus declared to be out of order.

"Mr. BOON then called for the orders of the day."

It was republished in the National Intelligencer of Monday morning, the 25th, copied verbatim from the Globe, even to the closing remark, that Mr. ADAMS was thus declared to be out of order. It is then added that Mr. BOON called for the orders of the day; but it is not stated, as was nevertheless the fact, that upon inquiry made of the Speaker whether *the hour* had not expired, he answered that there yet remained one minute, upon which Mr. ADAMS immediately said, "then I claim that minute," and added that he had much more to say, although the decision of the Speaker and of the House had taken from him one of the pillars of his edifice.

His motive for resuming immediately the floor was to foreclose a question which he saw might be made at the next morning hour, of his right to proceed without a formal permission of the House. After the decision of the Speaker and of the House that he was out of order, because he touched upon *slavery* as an objection to the annexation of Texas, he distrusted the fulfilment of the promise made to Mr. THOMPSON that the

Texas question should be opened, and he wished to secure immediately the unquestioned right to proceed.

He proceeded, accordingly, on the morning of Tuesday, the 26th of June. A report of his remarks on that day was published in the National Intelligencer of the 10th of July, under the erroneous date of 3d of July. It will be seen at a glance; by the perusal of that report, that it followed immediately after that of the 23d, when Mr. ADAMS was arrested in the midst of his discourse, and declared out of order for *irrelevancy*. He then passed, in the enumeration of interdicted *classes of petitioners*, to the women; and as this class had not only, like all the rest, been slighted by the Committee on Foreign Affairs, but grossly insulted by the chairman in his speech of the 15th of June, Mr. ADAMS felt himself obliged at once to defend their rights and to vindicate their good name with that anxious earnestness inspired by a deep conviction of the wrong done them by that speech. To this he devoted the mornings of the 28th, 29th, and 30th of June; the report of the last of which was also prematurely published in the National Intelligencer of the 10th of July, preceding that of the 26th of June, erroneously dated the 3d of July.

On the 3d, 4th, and 5th of July, Mr. ADAMS addressed the House upon the question of the constitutional power of Congress, or of any department of this Government, to annex the People of a foreign independent State to this Union; and on the 6th and 7th, upon the objection to the annexation of Texas, arising from its necessary consequence of involving us in a war with Mexico. He undertook to show that the acquisition of Texas, as a *land of slavery*, had been so darling an object of policy to the late, and still was to the present Administration, that it had been and was yet pursued by a system of deep duplicity, and of rancorous hostility to Mexico, stimulating this nation, even by Executive messages, and by corresponding movements of the Administration managers in both Houses of Congress, to a most unjust, reckless, and cruel war with that Republic, to wrest from her and doom to perpetual and irredeemable slavery a portion of her territory equal to one fourth of the whole original thirteen United States.

The development of this position, and the demonstration of its truth, required the production, analysis, and comparison of a multitude of documents, only a small portion of which had been exhibited by Mr. ADAMS, when the expiration of the last morning hour brought his discourse necessarily to a close. On the last day, however, he read to the House a secret and confidential letter from the late President of the United States to William Fulton, Secretary of the then Territory of Arkansas, now a Senator of the United States from that State. The letter is dated the 10th of December, 1830, and proves that as early as that day the writer of it was fully informed of the conspiracy then organized, under the command of his confidential friend and favorite, Samuel Houston, for breaking off the province of Texas from the Republic of Mexico, and erecting it into an independent State. That he considered it as an enterprise highly criminal; and wrote this letter, not to the Governor, but to the *Secretary* of the Territory of Arkansas, directing *him* to take measures for counteracting and defeating this conspiracy; well knowing that the Governor, and not the Secretary, of the Territory was the only person who could have taken any such measures with effect. From the *Govern-*



or this letter was kept profoundly secret. On producing the copy of the letter, Mr. A. expressed his suspicion that it had never been sent to its destination, but observed that the fact could be ascertained, the person to whom it was addressed being at Washington. The chairman of the Committee on Foreign Affairs then addressed a letter to Mr. Fulton, inquiring whether he had received such a letter from the late President, and was answered by him that *he had*, some time in January, 1831. What he *did* to counteract or defeat the conspiracy is as secret as the letter itself was intended to be. That he could do nothing effective without the direction of the Governor, to whom the letter was never communicated, is as apparent as that nothing effective was done. It is also a matter of more than ordinary notoriety, that a year and a half *after* this letter was written, that is, in the spring and summer of 1832, General Houston was again for several months at Washington, in constant intercourse apparently, as friendly, familiar, and confidential with the writer of this letter, as he had ever been before. Nor is it less notorious that, after the successful consummation of the conspiracy, when the President of the Mexican Republic was a prisoner to the Texian insurgents against Mexico, the same General Samuel Houston, commander-in-chief of their army, and now President of their Republic, as the price of liberation of the Mexican President, sent him to Washington to negotiate with President Jackson the cession of Texas *by Mexico* to these United States.

The further disclosure and demonstration of this tortuous and double-dealing system of measures and of policy, to fortify, sustain, and perpetuate the institution of slavery and the ascendancy of the slaveholding interest over that of freedom in this Union, is necessarily deferred until the next session of Congress. Whether it will then be practicable, must depend upon the yet problematical contingency whether another Southern conventicle of slaveholders will command to the submissive *party discipline* of the North another resolution "that all petitions, memorials, and papers, touching the abolition of slavery, or the buying, selling, or transferring of slaves, in any State, District, or Territory of the United States, be laid upon the table, without being debated, printed, read, or referred, and that no further action whatever shall be had thereon."

TUESDAY, JUNE 26, 1838.

Mr. ADAMS was entitled to the floor, but yielded it at the instance of several gentlemen; until Mr. HOWARD suggested that Mr. A. be permitted to proceed, in order that an opportunity might be afforded of replying to his arguments.

Mr. ADAMS then said, that having been desirous to accommodate, as far as in his power, every gentleman who had petitions or resolutions to offer, he had thus lost a large part of the hour to which his remarks must, necessarily be confined; and he feared that he should thus be compelled, at its termination, to break off in the midst, leaving a *hiatus valde deflexus*.

He had last Saturday been endeavoring to convince the House how odious this Administration was rendering itself by the course the House was pursuing in relation to petitions—a course now extended so as to embrace also resolutions of the Legislatures of States of this Union, by refusing or evading the consideration of them.

In doing so, he had referred to the great variety of subjects of public

concern to which this system of exclusion had been extended; and, after going through with the classification of *subjects* thus treated, he had been going on to show the classification of *PERSONS* so excluded from the right of petition. In doing this, said Mr. A., it became necessary for me to look to a portion of the population of this country, amounting to not less than one sixth part of the whole, to whom the *right* of petition had been formally denied by a resolution of this House.

At that period of the discussion I was arrested by the Speaker, and by the gentleman from South Carolina, [Mr. LEGARE,] himself one of the Committee on Foreign Affairs: a proceeding certainly in entire consistency with the declaration he made openly on this floor, that of all the memorials and other documents on the subject of the annexation of Texas, referred to that committee, he had not looked into one, and that he did not consider it his duty to do so. I say, that, in calling me to order in the manner he did, he acted in perfect consistency with himself and with his own principles. The Speaker sustained the gentleman by deciding that the observations I was making were not *relevant*, the subject under consideration of the House being the annexation of Texas to this Union. Vast multitudes of petitions and memorials and resolutions of State Legislatures, a great proportion of them against, and some few in favor of the annexation, had been sent up here and presented in this House, and, among the reasons urged against the annexation, *SLAVERY* being the first and the greatest of all. Yet, when I came to touch that point of my argument—as soon as I came to name the word “*slavery*”—I was forthwith arrested, as entering on matter *irrelevant* to the subject in hand. Well, sir, the decision of the House sustained the Speaker; although, in future times, if any one shall look at the Journal of that day's proceedings for the principle of the Speaker's decision, he may look in vain. No principle is stated, nor can the case ever be used as a precedent hereafter.

The decision, I confess, will prove a source of great embarrassment to me. It places me much in the circumstances of a company of strollers, who advertised to perform the tragedy of Hamlet, “the part of Hamlet being, for this evening, omitted.” No discussion of the rights of slaves, or of the subject of slavery, will be admitted as relevant. I wish to conform myself to the decisions of the Speaker, and of this House; but I confess the decision has changed my previous opinion, viz: that the subject of Texas was, at last, to be opened. I understood that it had at length been conceded, not to me, nor to those who think with me in this matter, but to a certain portion of this House, representing the southern extremity of the Union, equally anxious with myself to have the whole subject discussed. I had thought that to their wishes, at least, the point had been conceded. I felt confirmed in that conclusion by the amendment offered by the honorable gentleman from South Carolina, [Mr. THOMPSON,] proposing that the President shall be directed to enter upon negotiations for the annexation. When that gentleman shall come to address the House in support of his amendment, how he will to do steer clear of the subject of slavery, I confess I am totally unable to foresee. But I did not expect, when the gentleman from South Carolina had prevailed on the friends of the Administration to open the doors of the House for this discussion, that those doors were to be slapped to in my

face the instant I entered on the most important part of my argument. It had occurred to me that this was not very proper from gentlemen who had confined themselves to one side of that question. The House, in this decision, seems to have followed an example set them elsewhere—I will not name the place—where all the eloquence of the body has been opened in favor of the annexation, and no answer at all has been heard, the House having then voted to lay the subject on the table. Perhaps the gentleman from South Carolina [Mr. THOMPSON] was of opinion that this would be the course pursued in this House also. That all who wished to speak in favor of annexation and of slavery would be permitted to do so, but that no permission would be given to any one to answer. I say this, because, among the yeas and nays taken on the decision of the Speaker yesterday, I find, among those who voted to sustain that decision, the names of gentlemen who, I understand, are very anxious to have the Texian question opened. Still, the moment the term “slavery” is used, mum is the word—

*Digito compeſce labellum.*

Mr. PICKENS here rose to explain. He said he had been called to vote on the question whether the gentleman from Massachusetts was in or out of order. He had not called the gentleman to order, or shut the doors of discussion upon him, in relation to any subject he chose to argue. He had never voted to gag the gentleman. But when he had been called to vote whether the gentleman was or was not in order, he had no alternative. Believing the gentleman to be out of order, he had voted that he was out of order. He could vote no other way.

The CHAIR here reminded Mr. ADAMS that the decision of yesterday, on the question of order, was not now before the House.

Mr. ADAMS resumed. Well, sir, I was simply saying that my argument must necessarily be crippled when I am arrested on a charge of disorder not specified. The Chair said I was making remarks that were irrelevant, and then came a decision of the House in perfect conformity with its resolution of the 21st of December.

The CHAIR again said that the decision of the Chair, as subsequently confirmed by the House, was not now in question. He hoped the gentleman from Massachusetts would confine himself to the question on the resolution respecting Texas.

Mr. ADAMS. Well, relevant or irrelevant, I was saying that one sixth of the People of the United States had, by a resolution of this House, been deprived of the right of petition guarantied to the People of the United States by the Constitution.

I now come to a much more numerous class. In doing so, I shall be obliged to refer to the first petition on this subject of annexation; it was presented by me, and, on presenting it, I moved its reference to a *select committee*, but the chairman of the Committee on *Foreign Affairs* immediately claimed that it should be referred to them. It was from 238 women of Plymouth, and was couched in the following words:

*“To the House of Representatives of the United States:*

*“The undersigned, women, of Plymouth, (Mass.) thoroughly aware of the sinfulness of slavery, and the consequent impolicy and disastrous tendency of its extension in our country, do most respectfully remonstrate, with all our souls, against the annexation of Texas to the United States, as a slaveholding territory.”*

That is the whole of the petition. Every one of the signers is, I presume, a mother, a wife, a daughter, or a sister of some constituent of mine. Personally the petitioners are unknown to me.

On the same day, I presented a second petition, which was included under the operation of the same resolution of the House. It is from 158 men and 192 women, all of Hanover, in the county of Plymouth. The men, I presume, are all my constituents; the women stand, I presume, in the same relations to them as did those I last referred to to other constituents of mine. This petition is still shorter than the last.

*"To the Senate and House of Representatives of the United States:*

*"The undersigned, citizens and inhabitants of Hanover, Plymouth county, in the State of Massachusetts, respectfully pray your honorable body promptly to reject all proposals for the annexation of Texas to this Union, from whatever source they have come."*

The first was entirely from women: this is part from men, and part from women, more than half of the signers being of the female sex. I will not ask whether it is the judgment of this House, but whether it is the sober judgment of the People of these United States, that the right of petition itself is to be denied to the female sex? to WOMEN? Whether it is their will that women, as such, shall not petition this House? Let me not misrepresent this House, or the chairman of the committee from whom the report on the Texas memorials comes. I will read a passage or two from the speech of the honorable gentleman [Mr. HOWARD] who introduced that report. He said:

*"As to the numerous petitions of individuals remonstrating against the annexation of Texas, he supposed that these persons would be satisfied as long as Texas remained out of the Union, and, at all events, until she again expressed a desire to come in. Many of these petitions were signed by women. He always felt regret when petitions thus signed were presented to the House relating to political matters. He thought that these females could have a sufficient field for the exercise of their influence in the discharge of their duties to their fathers, their husbands, or their children, cheering the domestic circle, and shedding over it the mild radiance of the social virtues, instead of rushing into the fierce struggles of political life. He felt sorrow at this departure from their proper sphere, in which there was abundant room for the practice of the most extensive benevolence and philanthropy, because he considered it discreditable, not only to their own particular section of the country, but also to the national character, and thus giving him a right to express this opinion."*

Yes, sir, he considered it "discreditable," not only to the section of the country whence these memorials come, but discreditable to the nation. Sir, was it from a son—was it from a father—was it from a husband, that I heard these words? Does the gentleman consider that women, by petitioning this House in favor of suffering and of distress, perform an office "discreditable" to themselves, to the section of country where they reside, and to this nation? I trust to the good nature of that gentleman that he will retract such an assertion. I have a right to make this call upon him. It is to the wives and to the daughters of my constituents that he applies this language. Am I to consider their conduct in petitioning this House as a discredit to that section of the Union and to their country? Sir, if there is any thing in which they could do honor to their country, it was in this very act. He says that women have no right to petition Congress on political subjects. Why, sir, what does the gentleman understand by "political subjects?" Every thing in which this House has an agency—every thing which relates to peace and relates

to war, or to any other of the great interests of society, is a political subject. Are women to have no opinions or action on subjects relating to the general welfare? This must be the gentleman's principle. Where did he get it? Did he find it in sacred history? in the account which is given of the emigration of a whole nation from the land of Egypt, under the guidance of Moses and Aaron? What was the language of Miriam, the prophetess, when, after one of the noblest and most sublime songs of triumph that ever met the human eye or ear, it is said—

“And Miriam, the prophetess, the sister of Aaron, took a timbrel in her hand; and all the *women* went out after her with trimbrels and with dances. And Miriam answered them, Sing ye to the Lord, for he hath triumphed gloriously; the horse and his rider hath he thrown into the sea.”

Sir, is it in that portion of sacred history that he finds the principle that it is improper for women to take any concern in public affairs? This happened in the infancy of the Jewish nation—in its very formation as such. But has the gentleman never read or heard read the account which is given, at a later period, of the victory of Deborah?

“And Deborah, a prophetess, the wife of Lapidoth, she *judged* Israel at that time. And she dwelt under the palm tree of Deborah, between Ramah and Bethel, in Mount Ephraim; and the children of Israel came up to her for *judgment*.”

Has he never read that inspiring cry—

“Awake, awake, Deborah; awake, awake, utter a song; arise Barak, and lead thy captivity captive, thou son of Abinoam.”

Is the principle recognised here that women have nothing to do with political affairs? No, not so much as even to petition in regard to them? Has he forgotten the deed of Jael, who slew the dreaded enemy of her country, who had so often invaded and ravaged it? Has he forgotten the name of Esther, who, by a PETITION, saved her people and her country?

“Then said the King unto her, What is thy *petition*, Queen Esther? and what is thy request? It shall be given thee to half of the kingdom.”

Sir, I might go through the whole of the sacred history of the Jews, down to the advent of our Saviour, and find innumerable examples of women, who not only took an active part in the politics of their times, but who are held up with honor to posterity because they did so. I might point him to the names of Abigail, of Huldah, of Judith, the beautiful widow of Bethulia, who in the days of the captivity slew Holofernes, the commanding general of the King of Babylon. But let me come down to a happier age under the dispensation of the new covenant.

Since I was last upon this floor addressing the House on this subject, it has been my fortune to hear a discourse on perhaps the greatest miracle ever performed by our Saviour while he was on earth—I mean the raising of Lazarus from the dead; and I could not but be struck by the remark of the preacher, a gentleman unknown to me, that the Saviour performed this stupendous miracle at the *petition of a woman*! If gentlemen will consult the sacred record, they will find that the fact is so.

But now, to leave sacred history, and go to profane history. Does the chairman of the committee find there that it is “discreditable” for women to take any interest or any part in political affairs? Let him read the history of Greece. Let him examine the character of Aspasia, and this in a country where the conduct and freedom of women were more severely restricted than in any modern nation, save among the Turks. It

was in Athens, where female character had not that full development which is permitted to it in our state of society. Has he forgotten that Spartan mother, who said to her son when going out to battle, "My son, come back to me *with* thy shield, or *upon* thy shield?" Can he have forgotten the innumerable instances recorded by the profane historians, where women distinguished, nay, immortalized their names, by the part they took in the affairs of their country?

Has he never read the history of Rome?

[Here the morning hour expired.]

THURSDAY, JUNE 28, 1838.

Mr. ADAMS resumed the floor in support of his resolution respecting the admission of Texas into the Union.

When I last addressed the House I was engaged in discussing the principle asserted by the chairman of the Committee on Foreign Affairs; the practical effect of which must be to deprive one half the population of these United States of the right of petition before this House. I say it goes to deprive the entire female sex of all right of petition here. The principle was not an abstract principle. It is stated abstractedly, in the report of his remarks, which I have once read to the House. I will read it again; it is highly important, and well deserving of the attention of this House, and its solemn decision. It referred to all petitions on the subject of the annexation of Texas to this Union which come from women.

"Many of these petitions were signed by women. He always felt regret when petitions thus signed were presented to the House relating to political matters. He thought that these females could have a sufficient field for the exercise of their influence in the discharge of their duties to their fathers, their husbands, or their children, cheering the domestic circle, and shedding over it the mild radiance of the social virtues, instead of rushing into the fierce struggles of political life. He felt sorrow at this departure from their proper sphere, in which there was abundant room for the practice of the most extensive benevolence and philanthropy, because he considered it discreditable, not only to their own particular section of the country, but also to the national character, and thus giving him a right to express this opinion."

Now, I say, in the first place, that this principle is erroneous, vicious. As a moral principle it is vicious; and in its application the chairman of the committee made it the ground of a reproach to the females of my district; thousands of whom, besides those 238 who signed the first petition I presented here, have signed similar petitions. That is his application. And what is the consequence intended to follow? Why, that petitions of that sort deserve no consideration, and that the committee are, therefore, fully justified in never looking into one of them. And this, because they come from *women*; and women, departing from their own proper sphere, in the domestic circle, do what is discreditable, not only to their own particular district of country, but to the national character. There is the broad principle, and there is its application. This has compelled me to probe it to the bottom, and to show that it is fundamentally wrong, that it is vicious, and the very reverse of that which should prevail.

Why does it follow that women are fitted for nothing but the cares of domestic life? for bearing children, and cooking the food of a family? devoting all their time to the domestic circle—to promoting the imme-

diate personal comfort of their husbands, brothers, and sons? Observe, sir, the point of departure between the chairman of the committee and myself. I admit that it is their duty to attend to these things. I subscribe, fully, to the elegant compliment passed by him upon those members of the female sex who devote their time to these duties. But I say that the correct principle is, that women are not only justified, but exhibit the most exalted virtue when they do depart from the domestic circle, and enter on the concerns of their country, of humanity, and of their God. The mere departure of woman from the duties of the domestic circle, far from being a reproach to her, is a virtue of the highest order, when it is done from purity of motive, by appropriate means, and towards a virtuous purpose. There is the true distinction. The motive must be pure, the means appropriate, and the purpose good. And I say that woman, by the discharge of such duties, has manifested a virtue which is even above the virtues of mankind, and approaches to a superior nature. That is the principle I maintain, and which the chairman of the committee has to refute, if he applies the position he has taken to the mothers, the sisters, and the daughters of the men of my district who voted to send me here. Now, I aver, further, that in the instance to which his observation refers, viz: in the act of petitioning against the annexation of Texas to this Union, the motive was pure, the means appropriate, and the purpose virtuous, in the highest degree. As an evident proof of this, I recur to the particular petition from which this debate took its rise, viz: to the first petition I presented here against the annexation—a petition consisting of three lines, and signed by 238 women of Plymouth, a principal town in my own district. Their words are:

“The undersigned, women of Plymouth, (Mass.,) thoroughly aware of the sinfulness of slavery, and the consequent impolicy and disastrous tendency of its extension in our country, do most respectfully remonstrate, with all our souls, against the annexation of Texas to the United States, as a slaveholding territory.”

Those are the words of their memorial. And I say that, in presenting it here, their motive was pure, and of the highest order of purity. They petitioned under a conviction that the consequence of the annexation would be the advancement of that which is sin in the sight of God, viz: slavery. I say, further, that the means were appropriate, because it is Congress who must decide on the question; and, therefore, it is proper that they should petition Congress if they wish to prevent the annexation. And I say, in the third place, that the end was virtuous, pure, and of the most exalted character, viz: to prevent the perpetuation and spread of slavery through America. I say, moreover, that I subscribe, in my own person, to every word the petition contains. I do believe slavery to be a sin before God, and that is the reason, and the only insurmountable reason why we should refuse to annex Texas to this Union. For, although the amendment I have moved declares that neither Congress nor any other portion of this Government is of itself competent to make such annexation, yet I hold it not impossible, with the consent of the People of the United States and of the People of Texas, that a union might properly be accomplished. It might be effected by an amendment of the Constitution, submitted to the approval of the People of the United States, as all other amendments are to be submitted, and by afterward submitting the question to the decision of the People of both States. I

admit that in that way such a union might be, and may be formed. But not with a State tolerating slavery; not with a People who have converted freemen into slaves; not so long as slavery exists in Texas. So long as that continues, I do not hold it practicable, in any form, that the two nations should ever be united. Thus far I go. I concur in every word of the petition I had the honor to present; and I hold it to be a proof of pure patriotism, of sincere piety, and of every virtue that can adorn the female character.

With regard to this principle I am willing it shall be discussed. I hope it will be discussed, not only in this House, but throughout this nation. And, so long as no discussion is had upon it, this question of annexation cannot be properly treated. The gentleman from South Carolina [Mr. PICKENS] who said he was for taking issue with me, but who voted to close my mouth the moment I touched upon slavery, has told the House that he was voting on a mere question of order. Very well. He may vote against my being permitted so much as to name the subject, and when he comes after me, to show the advantages of the proposed annexation, he may himself enjoy a liberty of debate wide as the winds. But I warn him not to lay the flattering unction to his soul that he is to have full freedom, while another is to have his mouth stopped the moment he attempts to open it in reply. The question is not so to be considered. After the manner in which I have been stopped and interrupted and cut off from the chief part of what I wished and intended to say, I shall consider it, and so will the People of this country consider it, a mockery to open the question on such terms.

But, to come to the point of the petition, and to the principle laid down by the chairman. I inquired of him where he found it? In ancient history? In the sacred history? On that subject I adduced a few, out of the multitude of examples, where the action of women was held up as the highest virtue, and their interference in politics was recorded with praise, even to the cutting off of the heads of the commanders of armies. And I then referred him to the fact that the greatest and most stupendous miracle ever performed by the Saviour while on earth was wrought at the petition of a woman. I called upon him for his recollections of the Roman history, and there I was stopped by the expiration of the hour.

I now ask him, whether he does not remember Clælia and her hundred companions, who swam across the river under a shower of enemy's darts, escaping from Porsenna? Has he forgotten Cornelia, the mother of the Gracchi, who declared that her children were her jewels? And why? Because they were the champions of freedom. Does he not remember Portia, the wife of Brutus, and daughter of Cato, and in what terms she is represented in the history of falling Rome? Has he never read of Arria, the wife of Pœtus, who, even under the imperial despotism, when her husband was condemned to die by the tyrant, plunged the sword into her own bosom, and, handing it to her husband, said, "take it, Pœtus, it does not hurt!" and expired?

But let me come to a later period. What says the history of our Anglo-Saxon ancestors? To say nothing of Boadicea, the British heroine in the time of the Cæsars, what name is more illustrious than that of Elizabeth? Or if he will go on the continent, will he not find the names



of Maria Theresa of Hungary? the two Catherines of Russia? and Isabella of Castile, the patroness of Columbus, the discoverer, in substance, of this hemisphere, for without her that discovery would not have been made? Did she bring discredit on her sex by mingling in politics?

And now, to come nearer home; what were the women of these United States in the struggle of the Revolution? Or what would the men have been but for the influence of the women of that day? Were they devoted *exclusively* to the duties and enjoyments of the fireside? No, sir! Surely they never neglected them; but they loved their country too; they felt the impulse of *patriotism*, and manifested it in action; they entered into the hottest political controversies of the time. Take for example the ladies of Philadelphia. I read from the *Life of General Greene*, by an eminent citizen of South Carolina, Judge Johnson, (vol. 1, p. 196,) speaking of a trying period of the war:

"Hear this from the pen of Washington. After complaining that his troops were generally destitute of shirts, and many of them of a more indispensable article of clothing, he proceeds: 'It is also most sincerely to be wished that there could be some supplies of clothing furnished to the officers. There are a great many whose condition is still miserable. This is, in some instances, the case with the whole line of the States. It will be well for their own sakes, and for the public good, if they could be furnished. They will not be able, when our friends come to co-operate with us, to go on a common routine of duty; and, if they should, they must, from their appearance, be held in low estimation.'

"After this, the reader will not be surprised to learn that scandal whispered, it was not unusual to fit out the officer of the day by contributory loans, for the honor of a regiment, or even a State; and that, in one instance, there was but one suit of parade clothes in a whole regiment. And from whence did relief arrive at last? From the heart where patriotism erects her favorite shrine; and from the hand which seldom is closed or withdrawn when the soldier solicits.

"The ladies of Philadelphia immortalized themselves by commencing the generous work, and it was a work too grateful to the feelings of the American fair not to be followed up with zeal and alacrity. The profane pen of a Rivington may have sneeringly written that the linen of the fair one was converted into a corresponding garment to decorate the person or add to the comforts of a lover; but the fear of ridicule shrunk away from the more interesting reflection, that soon it might be tinged with the heart's blood of the wearer."

I have another instance to quote, and from another historian, also a citizen of South Carolina; and it is exceedingly grateful to my heart; because it speaks trumpet-tongued, not only of the tender and benevolent affections, but of the daring and intrepid spirit of patriotism burning in the bosoms of the ladies of that State, at the most disastrous and desperate period of the war. Listen to Dr. Ramsay's *History of the Revolution of South Carolina*, (vol. 2, p. 123:)

"Though numbers broke through the solemn ties by which they had voluntarily bound themselves to support the cause of America, illustrious sacrifices were made at the shrine of liberty; several submitted to a distressing exile, or a more intolerable confinement. The proprietors of some of the best estates in South Carolina suffered them to remain in the power and possession of the conquerors rather than stain their honor by deserting their country. The rich staked their fortunes, but in the humble walks of obscurity were found several of the middling and poorer class of citizens, who may be truly said to have staked their lives on the cause of America; for they renounced the comforts subservient to health in warm climates, and contented themselves with a scanty portion of the plainest necessaries of life, in preference to joining the enemies of independence. In this crisis of danger to the liberties of America, the LADIES of South Carolina conducted themselves with more than Spartan magnanimity. They gloried in the appellation of REBEL LADIES; and though they withstood repeated soli-

citations to grace public entertainments with their presence, yet they crowded on board prison-ships, and other places of confinement, to solace their suffering countrymen. While the conquerors were regaling themselves at concerts and assemblies, they could obtain very few of the fair sex to associate with them; but no sooner was an American officer introduced as a prisoner, than his company was sought for, and his person treated with every possible mark of attention and respect. On other occasions the ladies, in a great measure, retired from the public eye, wept over the distresses of their country, and gave every proof of the warmest attachment to its suffering cause. In the height of the British conquests, when poverty and ruin seemed the unavoidable portion of every adherent to the independence of America, the ladies, in general, discovered more firmness than the men. Many of them, like guardian angels, preserved their husbands from falling, in the hour of temptation, when interest and convenience had almost gotten the better of honor and patriotism. Among the numbers who were banished from their families, and whose property was seized by the conquerors, many examples could be produced of ladies cheerfully parting with their sons, husbands, and brothers, exhorting them to fortitude and perseverance, and repeatedly entreating them never to suffer family attachments to interfere with the duty they owed to their country. When, in the progress of the war, they were also comprehended under a general sentence of banishment, with equal resolution they parted with their native country, and the many endearments of home, followed their husbands into prison-ships and distant lands, where, though they had long been in the habit of giving, they were reduced to the necessity of receiving charity. They renounced the present gratifications of wealth, and the future prospects of fortunes for their growing offspring, adopted every scheme of economy, and, though born in affluence, and habituated to attendance, betook themselves to hard labor."

Politics, sir! rushing into the vortex of politics! glorying in being called Rebel ladies! refusing to attend balls and entertainments, but crowding to the prison-ships! mark this; and remember that it was done with no small danger to their own persons, and to the safety of their families. But it manifested the spirit by which they were animated. And, sir, is that spirit to be charged, here, in this hall, where we are sitting, as being discreditable to the country's name? Are we to be told this? Shall it be said here that such conduct was a national reproach, because it was the conduct of women, who left their "domestic concerns," and "rushed into the vortex of politics?" Sir, these women did more; they *petitioned*; yes, they petitioned—and that in a matter of politics. And what was that matter of politics? It was the life of Hayne.

"The royal Lieutenant Governor Bull, and a great number of inhabitants, both loyalists and Americans, interceded for his life. The ladies of Charleston, generally, signed a petition in his behalf, in which was introduced every delicate sentiment that was likely to operate on the gallantry of officers or the humanity of men. His children, accompanied by some near relation, were presented on their bended knees as humble suitors for their father's life. Such powerful intercessions were made in his favor as touched many an unfeeling heart, and drew tears from many a hard eye; but Lord Rawdon and Lieutenant Colonel Balfour remained inflexible." (Ramsay, vol. 2, p. 282.)

Where is the chairman of the Committee on Foreign Relations? [Mr. HOWARD was not in the House,] I want him to discuss this point. Here were women who entered deeply into concerns relating to their country, and felt that they had other duties to perform, besides those to the domestic comforts of their husbands, brothers, and sons. They petitioned! I want him to listen to their petition, all glorious to their memories as it is! I am sure, if he would listen to it, he would not, like Rawdon and Balfour, remain inflexible.

Here it is:

*"To the Right Honorable Lord RAWDON, Commander-in-chief of his Majesty's forces in South Carolina, and to Colonel BALFOUR, Commander at Charleston :*

**"MY LORD AND SIR :** We should have reason to reproach ourselves for having omitted a proper occasion of manifesting the tenderness peculiarly characteristic of our sex, if we did not profess ourselves deeply interested and affected by the imminent and shocking doom of the most unfortunate Mr. Hayne; and if we did not entreat you in the most earnest manner graciously to arrest, prolong, or mitigate. We do not think, much less do we intend to imply, in the remotest degree, that your sentence is unjust; but we are induced to hope that every end it proposes may be equally answered as if carried into execution; for to us it does not appear probable that any whom it is intended to influence and deter from similar delinquency will be encouraged with the hope of impunity by reason of any favors shown him, as they must surely reflect that it was owing to certain causes and circumstances that will not apply to them. We presume to make this intercession for him, and to hope that it will not prove fruitless, from the knowledge of your dispositions in particular, as well as from the reflection in general that humanity is rarely separable from courage, and that the gallant soldier feels as much reluctance to cause, by deliberate degrees, the infliction of death on men in cold blood, as he does ardor in the day of battle and heat of action to make the enemies of his country perish by the sword. He may rejoice to behold his laurels sprinkled with the blood of armed and resisting adversaries, but will regret to see them wet with the tears of unhappy orphans, mourning the loss of a tender, amiable, and worthy parent, executed like a vile and infamous felon.

**"To the praises that men who have been witnesses and sharers of your dangers and services in the field may sound of your military virtues and prowess, we trust you will give the ladies occasion to add the praises of your milder and softer virtues by furnishing them with a striking proof of your clemency and politeness in the present instance. May the unhappy object of our petition owe to that clemency and politeness, to our prayers, and to his own merits, in other respects, what you may think him not entitled to, if policy and justice were not outweighed in his behalf. To any other men in power than such as we conceive you both to be, we should employ on the occasion more ingenuity and art to dress up and enforce the many pathetic and favorable circumstances attending his case, in order to move your passions and engage your favor; but we think this will be needless, and is obviated by your own spontaneous feeling, humane considerations, and liberal reasonings. Nor shall we dwell on his most excellent character, the outrages and excesses, and perhaps murders, prevented by him, to which innocent and unarmed individuals were exposed in an extensive manner; nor shall we here lay any stress on the most grievous shock his numerous and respectable connexions must sustain by his death, aggravated by the mode of it; nor shall we do more than remind you of the complicated distress and suffering that must befall his young and promising children, to whom, perhaps, death would be more comfortable than the state of orphanage they will be left in. All these things, we understand, have been already represented, and we are sure will have their due weight with men of your humane and benevolent minds. Many of us have already subscribed to a former petition for him, and hope you will regard our doing it again, not as importunity, but earnestness, and we pray most fervently that you will forever greatly oblige us by not letting us do it in vain.**

**"We are, my lord and sir, with all respect, your very anxious petitioners and humble servants."**

If there be a member of this House who, after what I have said, could retain a particle of belief in the doctrine that it is a reproach to the nation for women to present petitions on public affairs, let him take this petition and read it, and I am sure he cannot retain the sentiment.

I will refer the House to only one example more. This House, not long since, voted a pension to Benjamin Gannett, the husband of Deborah Gannett, and that on the ground of the merits of his deceased wife. The chairman of the committee thinks it a reproach to a woman even to petition on a matter of politics; but this Deborah Gannett not only did as much as this, but "rushed into the vortex of politics," to

the extent of exposing her person, down to the close of our Revolutionary war. And what says the report of the committee on her case?

"The committee are aware that there is no act of Congress which provides for any case like the present. The said Gannett was married after the termination of the war of the Revolution, and therefore does not come within the spirit of the third section of the act of 4th July, 1836, granting pensions to widows in certain cases; and were there nothing peculiar in this application which distinguishes it from all other applications for pensions, the committee would at once reject the claim. But they believe they are warranted in saying that the whole history of the American Revolution records no case like this, and 'furnishes no other similar example of female heroism, fidelity, and courage.' The petitioner does not allege that he served in the war of the Revolution, and it does not appear by any evidence in the case that such was the fact. It is not, however, to be presumed that a female who took up arms in defence of her country, who served as a common soldier for nearly three years, and fought and bled for human liberty, would, immediately after the termination of the war, connect herself for life with a tory or a traitor. He, indeed, was honored much by being the husband of such a wife; and as he has proved himself worthy of her, as he has sustained her through a long life of sickness and suffering, and as that sickness and suffering were occasioned by the wounds she received, and the hardships she endured in the defence of the country, and as there cannot be a parallel case in all time to come, the committee do not hesitate to grant relief.

"They report a bill granting to the petitioner a pension of \$80 per year from the 4th day of March, 1831, for and during his natural life."

Where, I ask again, is the chairman of the Committee on Foreign Affairs? [A laugh.]

That is a sentiment honorable to this House, and to this country. Sir, if I were allowed to present a case of fiction here, it would be impossible for me to imagine one containing a principle more completely opposite to that laid down by the chairman of the committee. Does this report declare that heroism, that fidelity, in the case of a woman, is a reproach to her, and to her country? No; it is a virtue of supererogation, of the very highest and noblest order.

I close, here, my remarks on that clause of the speech of the honorable chairman which to me appears so exceptionable. I take issue with him on that assertion. I affirm that directly the reverse of his position is true. Agreeing with him entirely as to what are the most appropriate duties of the female sex, I differ from him as much in what he infers from them; and I say that if they depart from their duties of a domestic character, from pure motives, by appropriate means, and for a good end, it is virtue, and the highest virtue.

I should not have detained the House so long in establishing this position, had I not felt it a duty I owed to my constituents, to vindicate the characters of their wives and sisters and daughters, who were assailed by the sentiment I have opposed.

And now, to close with a little anecdote, which I hope will put the House into a good humor. In consequence of the stand I have taken here, on the subject of the right of petition, a great number of petitions and memorials have been sent to me, many of which I did not present; some were sent with a sinister purpose—to make me ridiculous, or the right of petition ridiculous. Others were of a more atrocious character, and the language in which they were expressed would have, of itself, precluded their reception here. But there is one from a man whom I take to be a profound humorist, and a keen and deep satirist. His petition is, that Congress would enter into negotiations with the Queen of

Great Britain, to prevail on her to abdicate the throne of that nation. And why? Because affairs of state do not belong to women. Now, if this petition had been sent to the honorable chairman of the Committee on Foreign Relations, I really do not see, with his notions, how he could have refused to present it. [A laugh.] But I declined the presentation of it, because I feared that there might be a portion of the House who would not perceive in such a petition the satire which I thought was intended to be conveyed by it, and might think it was intended as a serious proposition. I do not intend to put the House to the trial of that matter; or myself in an attitude of coming under the censure of this House, for treason, in offering such advice to the President; or at least as becoming the cause of a war with England. For when the Government of one country addresses the Sovereign of another, with a request to abdicate the throne, it is a pretty serious affair. In that point of view, it was impossible for me to present the paper; but, in the other, I think I might have done so, with great propriety and effect. And even now, as the chairman of the Committee on Foreign Affairs appears to sympathize in feeling and sentiment with the petitioner, if he thinks it might be serviceable to present the paper, I will cheerfully communicate it to him. [A laugh.]

There is another, and an equally grave division of the subject, yet to enter upon; but, as the hour is nearly expired, I will, for the present, relieve the House.

#### FRIDAY, JUNE 29, 1838.

The report of the Committee on Foreign Affairs in relation to Texas being again under consideration as the unfinished business of the morning hour—

Mr. ADAMS resumed his remarks, and said, that the time, the day before, had been consumed by him in reply to so much of the speech of the chairman of the Committee on Foreign Affairs as reflected upon the women of Massachusetts, his own constituents, as having disgraced their country and themselves by sending their petitions to Congress against the annexation of Texas to the United States. He regretted that the chairman had not been in his seat at the time, to meet his explicit denial of this position, and his assertion that the expression of such a principle was a cruel outrage upon the rights of one half the People of this country, wholly unworthy the person from whom it had emanated—a gentleman whose whole personal character seemed to him (Mr. A.) to be most abhorrent to the political principles he had laid down: that the petitions of women are to be treated with scorn and contempt by the House of Representatives, to whom they are addressed, on the ground that their conduct in signing such petitions is discreditable and disgraceful, not only to themselves and to that part of the country in which they live, but to the whole nation.

Mr. ADAMS expressed a hope that no member of the House would think this a light question, entering as it did into the very utmost depths of the Constitution of the country, and affecting not only the political rights of one half of the People of the nation, but seriously affecting the sex which is entitled to the respect and protection of the laws, and of those who make the laws; entitled to kind and respectful treatment at

their hands, and not reproaches like those which the gentleman from Maryland [Mr. HOWARD] had dared to heap upon them.

That particular point of the subject in debate which was discussed yesterday, when the honorable member was not in his place, had been commenced the day preceding, when he was present. He heard him (Mr. A.) read a passage from his [Mr. H's] reported speech, and had heard him take issue with him upon that passage, and cite passages from ancient history, scriptural and profane, in opposition to the principle advanced in that part of his speech. Yesterday, in his absence, he (Mr. A.) had continued to cite examples from history, from the days of old Rome down to the case of *Deborah Gannett*, to whose surviving husband a pension for her Revolutionary services and sufferings had, within a week, been granted by that House; in the committee's report upon which latter case there was a distinct recognition and averment of a principle precisely the reverse of that laid down by the chairman of the Committee on Foreign Affairs in the passage of his speech alluded to. And there had been some of these examples which had been of a character peculiarly interesting to different members of that body, from local and sectional as well as patriotic associations. He had read from Johnson's *Life of General Greene* a tribute to the ladies of Philadelphia, and from Ramsay, one to the ladies of Charleston, South Carolina, for their noble public services during those "times that tried men's souls." But there was one other instance which he might have, and, had the gentleman from Maryland been present, he should have cited; but which, not then having done so, he would now adduce, and ask for it the gentleman's particular attention. He would read from Marshall's *Washington* the following passage:

"It is not unworthy of notice that the ladies of Baltimore charged themselves with the toil of immediately making up the summer clothing for the troops. Innumerable instances of their zeal in the common cause of their country were given in every State of the Union."

Sir, (continued Mr. ADAMS,) was it from the lips of a son of one of the most distinguished of those ladies of Baltimore—was it from the lips of a descendant of one of the most illustrious officers in that war that we now hear the annunciation that the political and public services of women are to be treated with contempt? Sir, I do hope that that honorable gentleman, [Mr. HOWARD,] when he shall reply to this part of my argument, will modify his opinions upon this point.

Mr. HOWARD here rose and said that, as he should probably have no opportunity to reply, he begged permission to say a word or two upon the case which the gentleman from Massachusetts had brought before the House.

Mr. ADAMS having yielded the floor for that purpose,

Mr. HOWARD said that the case of the ladies of Baltimore, when they exerted themselves to supply the army of Lafayette with clothes in the Revolutionary war, was not new to him. His (Mr. H's) children had in their veins the blood of one of those who was amongst the most zealous in this patriotic effort; but he saw not the slightest resemblance between their conduct, upon that memorable occasion, and that of the females who were petitioning Congress against the admission of a State into the Union. When the relatives and friends of women are in the field, struggling amidst perils and sufferings for the independence of the country,

undergoing all sorts of hardships and privations, without sufficient food or raiment, nothing could be more becoming to the female character than that, by the exercise of their needle, or influence, or industry, they should try to alleviate the toils of their gallant defenders. He disclaimed utterly all similarity between the cases, and protested against classifying those generous and patriotic ladies with the petitioners about Texas; and whilst he was on the floor, he would say further, that the gentleman from Massachusetts might find more appropriate models to hold up for imitation to the modest and virtuous girls of New England than the two which he had selected from ancient and modern history—one of whom, Aspasia, was notorious for the profligacy of her life; and the other a woman who had usurped the habiliments of the other sex, and, in man's dress, associated with men for years together. He believed that the females of New England would not relish either of these examples.

Mr. ADAMS then resumed, and said he was glad to find that the chairman of the Committee on Foreign Affairs had abandoned his former ground, and conceded the unsoundness of his principles.

Mr. HOWARD denied that he had done so.

Mr. ADAMS averred that the gentleman *had* done so. What he had said upon the occasion adverted to was on record. Let it be compared with the concessions he now makes, in the case of the women of the Revolutionary times. He concedes the principle in the case of the Baltimore ladies, though he adheres to it afterwards in that of Deborah Gannett. In connexion with the latter case, he (Mr. A.) would leave the gentleman from Maryland to the gallant chairman of the Committee on Revolutionary Claims, [Mr. MORGAN,] whose report, in that case, had been alluded to, as conveying a principle directly the reverse of that assumed by the gentleman from Maryland.

But, (continued Mr. A.,) that honorable gentleman is pleased to take great exception to my citation of the example of Aspasia. Mr. A. would not enter into a discussion of Grecian history with Mr. H. Aspasia's was certainly an illustrious name in that history, and one with regard to which historians differed not a little on many points. Perhaps the instance was an ill-chosen one for the purposes of the present argument. Perhaps it was not. But if it was, he was glad that but a single instance could be excepted to of all that had been adduced by way of illustrating the position which he (Mr. A.) had taken in this discussion. The character of Aspasia was to be viewed in connexion with the opinions of the age and the country in which she lived. Those opinions, with regard to women, were not unlike those still entertained by the Turks, that women have no souls; opinions, he would say, which differed but little from what seemed to be those of the gentleman from Maryland, as declared upon a former day. Those opinions were not, however, he believed and trusted, the sentiments of the nation generally. They reflected cruelly on the conduct and character of fifty thousand of the women of this Republic, one fifth of which number belonged to his (Mr. A's) own district; women, than whom, out of the whole world, he defied the gentleman from Maryland to find others purer, more intelligent, and more patriotic.

And the right to petition, according to the gentleman, (said Mr. A.,) is to be denied to women because they have no right to vote! Is it so clear that they have no such right as this last? And if not, who shall

say that this argument of the gentleman's is not adding one injustice to another? One would imagine, while listening to this argument, that the gentleman was thinking of his election? He (Mr. A.) would do him [Mr. HOWARD] the justice to say that he did not believe that these were the unbiased opinions of his heart. He must have entertained different principles upon this subject until this political slavery question came up to influence and to pervert them. And this Mr. A. said he considered as one of the worst effects of that gangrene of politics which has infected, and which, to an alarming degree, still infects the country. Were it not for the operation of this, Mr. A. believed that the gentleman from Maryland [Mr. HOWARD] would as soon have sacrificed his life as made the declarations he had done upon this subject.

[Here the morning hour expiring, the orders of the day were called for, and Mr. ADAMS suspended his remarks until the next day.]

### SATURDAY, JUNE 30, 1838.

The report of the Committee on Foreign Affairs in relation to Texas being again under consideration as the unfinished business of the morning hour; and

Mr. POTTER having stated that, in the Legislature of Pennsylvania, a joint resolution had been introduced instructing their Senators and requesting their Representatives in Congress to oppose the annexation of Texas, and that it had passed the Senate by a vote of 22 to 6, but had, in the lower House, been indefinitely postponed by a vote of 41 to 38, the majority consisting of the friends of the present Administration—

Mr. ADAMS said that he considered the proceedings in the Pennsylvania Legislature, which the gentleman from that State had just mentioned, as proving, 1st, that the feelings and opinions of an immense majority of the People of Pennsylvania were opposed to the annexation of Texas to this Union, since, in the Senate, the vote against it had been overwhelming, 22 in favor, and only 6 being opposed to the resolution: but when the matter came into the other branch, it was indefinitely postponed by a majority of only 2, and this by a strict party vote, all the friends of the Administration voting in the affirmative, and all the members of the Opposition in the negative. The whole statement therefore went to prove that, in the State of Pennsylvania, as in the State of New York, the opinions and wishes of an overwhelming majority of the People were decidedly opposed to the admission of this foreign State into the Union; while the controlling and checking of this force of public opinion, so far as party could check and control it, was the work of the friends of the existing Administration.

But passing from that, (said Mr. A.) I return to the subject on which I was speaking when last I addressed the House, viz: the depriving of one half the People of the United States of the right to petition Congress; that half consisting, too, of the tender sex, whose very weakness should entitle them to the most scrupulous regard to all their rights. It was true that the right had not been directly and in terms contested by the chairman of the Committee on Foreign Relations: but he had represented the exercise of it as disgraceful to those women who petitioned, and as discreditable to their own section of the Union, and to the nation at large. Now to say, respecting women, that any action of theirs was



disgraceful, was more than merely contesting their legal right so to act : it was contesting the right of the mind, of the soul, and the conscience. It was on this account that Mr. A. had felt himself bound to take issue with the honorable chairman on that principle, and to show that the very reverse was true, and that the right of petition is as strong and as whole and perfect in women as in the stronger sex. [Mr. A. here recapitulated the grounds he had taken, stating again the precise position on which he took his stand.] As to the illustrations from ancient and from modern history which I adduced, to show that the sense of all mankind, as well in ancient as in modern times, has ever been, and still is, on the side of my position, I shall not at this time go further. Yesterday I referred to one glorious instance of departure from the exclusive duties of the domestic circle, in the case of the ladies of Baltimore, who rendered themselves illustrious, and obtained a memorial in the history of their country by going directly in the face of the principle laid down by the chairman of the committee, a native of that city, and one of their own sons.

I will now only recur to one more example, originating in a State very deeply concerned in this question ; I mean the State of South Carolina.

Sir, I said that with this hand I have had the honor to present the memorials, petitions, and remonstrances, of more than fifty thousand women, in this House, and on this subject ; as many, probably, as ten thousand of them being inhabitants of my own district ; which circumstance imposed on me a double, nay, a triple necessity of defending them and their character against the assault of the honorable chairman. But it so happens, that of the signatures to the 50,000 petitions, I do believe, in my conscience, that four fifths, at least, have been obtained by the influence of two women of South Carolina, natives of that State ; from their position, well acquainted with the practical operation of the system ; intelligent, well educated, highly accomplished, and bearing a name which South Carolina will not disown. To these two women is their country indebted for a vast proportion of all the petitions coming from their sex in New England, on the subject of the Texian annexation. Their own names are attached to one of these petitions ; and they are almost the only ones with which I have the honor to be personally acquainted. I say I have that honor ; for I deem it an honor. But their right to petition this House on the annexation of Texas, as well as on the subject of slavery itself, its moral character as a system, its political character, and its influence on the history of mankind, has been openly denied. If there is a gentleman from South Carolina here who is anxious for a correspondence with those ladies for the purpose of a discussion of either or of all those points, I can answer for those ladies that it will be in his power to obtain what he wishes. And if he does enter on the discussion, all I shall say is that I wish him well out of it. [A laugh.]

[Mr. PICKENS, of South Carolina, here rose to explain. The gentleman from Massachusetts has alluded to two ladies of my own State, and, as I understand, to certain statements of theirs which have appeared in the papers, and has spoken of their character in very exalted terms, and I do not in the least dispute what he has said ; but I take this occasion to say that I have read the statements alluded to ; and, though I know nothing personally respecting the ladies who have put them forth, I must

say that I never saw such a tissue of prejudice and misrepresentation as is now going the rounds of the public papers under their names. I have held it my duty to say this, though I do it with reluctance and regret, in order to prevent any false conclusion which might be drawn from the silence of the Representatives of that State after what has been said by that gentleman.]

Mr. ADAMS. Well; the gentleman admits he has no personal acquaintance with these ladies; and he has not ventured to impeach their characters, or denied that they bear a name which South Carolina will not disown. He says, however, that he has read their representations, as contained in the public journals, and that they are a tissue of prejudice and misrepresentation. I wish, if the gentleman pleases, that he will be so good as to specify the particular misrepresentations with which he charges these ladies, and each of them. He admits that their characters are of an exalted description; yet what they have given to the world is, it seems, a tissue of misrepresentation. Sir, the gentleman himself is in the case of many and many a slaveholder; he knows nothing of the real operation of the system. He speaks of what is known to him. I do not doubt in the least that he is, himself, a kind and indulgent master; so, I doubt not, are all the gentlemen who represent his State on this floor. They know not the horrors that belong to the system, and attend it even in their own State; and when they are stated by those who have witnessed them, he calls the whole a tissue of misrepresentation. But, sir, I put him on the issue of the facts, now made up between him and those ladies. I doubt not, I deny not, the accuracy of his own representations, so far as he knows of them; but he does not know the cruel, the tyrannical, the hard-hearted master. He does not know the profligate villain who procreates children from his slaves, and then sells his own children as slaves. He does not know the crushing and destruction of all the tenderest and holiest ties of nature which that system produces, but which I have seen, with my own eyes, in this city of Washington. Twelve months have not passed since a woman, in this District, was taken with her four infant children, and separated from her husband, who was a free man, to be sent away, I know not where. That woman, in a dungeon in Alexandria, *killed with her own hand two of her children*, and attempted to kill the others. She was tried for murder, and, to the honour of human nature I say it, a jury was not to be found in the District who would find her guilty. What was the consequence? A suit at law between the purchaser and the seller of the slave. The purchaser considering the contract violated, because the slave had been warranted sound in body and mind, whereas the jury found a verdict declaring her insane; which insanity they inferred from the fact of her having killed her own children. Sir, it was the verdict of an honest jury. The act was not murder. I have seen the woman and her surviving children. She attempted to kill the other two, but they were saved from her hands, and I hope are now free. I say the jury was an honest jury. They did not dare to convict her of murder, though the fact that she killed her children with her own hand was clearly demonstrated before them. The woman was asked how she could perpetrate such an act, for she had been a woman of unblemished character and of pious sentiments. She replied, that wrong had been done to her and to them;

that she was entitled to her freedom, though she had been sold to go to Georgia; and that she had sent her children to a better world. The jury took testimony as to her state of mind; for they were desirous to find, if possible, that she was insane.

Mr. LEGARE, of South Carolina, here rose and called Mr. A. to order. What he was talking about had nothing to do with the question before the House, which was the annexation of Texas to the United States.

Mr. ELMORE requested his colleague to let the gentleman go on with his insane ravings.

The CHAIR said it was within the limits of order to give reasons why Texas should not be annexed to this Union; but in stating those reasons there must be some limit; the matters stated must have a connexion with the subject; when that was wanting, they ceased to be in order. It was a delicate and difficult task to draw the precise line; he hoped the gentleman from Massachusetts would do this for himself, without the necessity of being checked by the Chair.

Mr. ADAMS. I had but a little more to state. The woman was acquitted, as I have said, on the ground of insanity; and I have seen the testimony on which that verdict was founded. It consisted of testimony in vague and indefinite terms, and mainly of the testimony of another colored woman, who stated on her oath that she did believe the woman not to be of sane mind. She was asked, why? Her answer was conclusive; she asked, "would a mother that was of sane mind kill her own children?" alleging the fact itself as the chief foundation of her belief. That was all the answer she gave, and the jury, on that reply, and other testimony of a similar character, acquitted the prisoner.

Here is a single incident in the history of slavery in this District of Columbia, of which I speak, because I was a witness to it. And now, sir, if this debate shall be properly reported, (as I have no doubt it will be,) and shall go throughout this country, I do not doubt but through the whole Southern portion of the Union there will be raised one universal shout, that the whole statement is "a tissue of prejudice and misrepresentation!"

I have stated all this in reply to the gentleman from South Carolina, who has told us that similar statements made by those two distinguished ladies of South Carolina whom I have referred to are one tissue of misrepresentation and prejudice. I, for one, believe in the whole "tissue" of facts stated by those ladies in communications addressed to their sisters in a different part of the Union. They are precisely that kind of misrepresentation a sample of which I have now given to this House in the facts I have stated. This I say, calling on that gentleman, or any other gentleman from that State, in answer to these insane ravings of mine, to state facts, and bring the proof that what I have stated is "a tissue of misrepresentation." I say that this story is but one of multitudes of the same kind, not perhaps equally horrible, but all of the same moral complexion, pervading that entire portion of the Union where man is held in slavery to man.

But this is a digression.

The crime of the petitioners whose memorials I have presented here, has been the signing of these memorials, which they did on the principle that the annexation of Texas cannot take place without extending and

perpetuating the horrible system of which I have given to the House some of the native fruits, and those ladies of South Carolina have given many more. Their crime has been merely the signing of petitions against admitting Texas into the Union, because it will extend and perpetuate slavery. I say it is no crime. I say it is not discreditable to those ladies. I say it is directly the reverse, being, on the contrary, highly honorable to them.

I do not, however, mean to be understood as countenancing the general idea that it is proper, on ordinary occasions, for women to step without the circle of their domestic duties. I do not so consider it: and I say that, when they do so depart from their ordinary and appropriate sphere of action, you are to inquire into the motive which actuated them, the means they employ, and the end they have in view. I say further, that, in the present case, all these, as well the motive as the means and the end, were just and proper. It is a petition—it is a prayer—a supplication—that which you address to the Almighty Being above you. And what can be more appropriate to their sex? Sir, it has occurred to me, when I have observed the attitude in which the slaveholder stands before this House, in comparison with that which these women have assumed in regard to it, that they present the personification of two of the Passions which has been drawn by one of the greatest poets of England. In his celebrated Ode to the Passions he gives to those which are of a harsh, strong, and rigorous character, the male sex; while those of a soft, amiable, and tender kind, he represents as women. After a description of Hope, as occupied in charming herself and all about her with her song, he adds:

“And longer had she sung—but, with a frown,  
 REVENGE impatient rose.  
 He threw his blood-stained sword in thunder down,  
 And with a withering look  
 The war-denouncing trumpet took,  
 And blew a blast so loud and dread,  
 Were ne’er prophetic sounds so full of wo.  
 And ever and anon he beat  
 The doubling drum with furious heat;  
 And tho’, sometimes, each dreary pause between,  
 Dejected PITY at his side  
 Her soul-subduing voice applied,  
 Yet still he kept his wild, unalter’d mien,  
 While each strained ball of sight seemed bursting from his head.”

There is the slaveholder, and there is the female petitioner against the annexation of Texas.

[Mr. CAMPBELL, of South Carolina, rose, and said that, as there would probably be no opportunity of replying to the gentleman during the present session, he would, with his permission, request a reconciliation of what appeared to be an inconsistency in his argument.

The gentleman had said that the most important objection to the annexation of Texas was the existence of slavery in that Republic. Now, it must be evident to every gentleman, that slavery will exist in Texas, whether she is annexed to this country or not. If annexed, her supply of slaves must be drawn *exclusively* from the United States; if not annexed, her supply will be derived not from the United States only, but, also, from the Spanish West India Islands, and directly from Africa.

Thus, in opposing the annexation of Texas upon the ground of slavery, the gentleman pursues a course that will increase instead of diminish the number of slaves; and is, in effect, an advocate for the African slave trade.]

MR. ADAMS. It is not difficult to answer the gentleman's questions. I believe, if Texas is not annexed to this Union, that the time is not remote when there will not be a slave either in these States or in Texas. I believe that, if Texas is excluded, in the first place she will operate as a drain for the slaves from South Carolina; and that that State will be so drained of its slave population that the white inhabitants, including the gentleman and his friends, will be the first to urge the propriety of abolition. [Here many Southern gentlemen laughed.] It is so now in the West Indies. The slaveholders themselves are the first to emancipate their slaves, after having once tried the experiment of the effects of freedom. I say that, when the slaves shall have, to a great extent, been drained off, the interest of the slaveholder will prompt him to do the same thing here. It will then be his interest, as it is now his duty, to put an end to the whole system. And, if it shall once be abolished there—as in my prayers to Almighty God I nightly and daily invoke Him that it may be—slavery in Texas will fall of itself. A slave State, like Texas, could not exist between two States like this Union and Mexico, both free. But if Texas is to be admitted; and if we are to hear lessons in philosophy, such as we have lately had addressed to us, teaching that slavery is a blessing and a virtue; if, I say, we are to have schools where it shall be taught to our children and youth that slaves are chattels—that slavery is a benevolent institution of God—and this shall be accompanied by the decree of a sovereign State, making it death to deny the doctrine—then, indeed, I believe that slavery will not be confined to the States south of the Potomac; and the inevitable consequence will be, that all laws against the slave trade are cruel and tyrannical, and that the slave trade ought to be restored.

[MR. CAMPBELL again rose, and, after denying that the inconsistency had been reconciled, said that, as he was up, he would take the liberty of informing the gentleman of another fact, of which he was probably not aware. The discussion of this subject (slavery) here and elsewhere, by himself and others, had tended to rivet the system that their false and impracticable philanthropy would remove; for while they had succeeded in producing agitation, and compelled many to dread this wretched fanaticism as the rock upon which the Union, and with it the fairest hopes that ever warmed the breast of the patriot, may ultimately be wrecked, they had, also, been the means of directing a more general inquiry into the subject, which had resulted in the almost universal conviction at the South, that slavery, as it existed there, was neither a moral nor a political evil. Thus many worthy men, who were formerly somewhat uneasy at the existence of this institution, now feel themselves called upon by every motive, personal and private, by every consideration, public and patriotic, to guard it with the most jealous watchfulness—to defend it at every hazard.]

MR. ADAMS. I am happy to hear what the gentleman has to observe and equally happy to answer him. I thought I had given him an answer pretty directly in point. If slavery ceases in Texas, she will not get

ver slaves from any place. Is that no answer? But as to the theory which he now advances, if it be true, then the more slaves the better; and whether Texas shall get them from the United States or from Africa, is only a question of avarice, as to who shall breed these human chattels. The direct consequence of his theory is, that the slave trade ought to be encouraged. It is a good thing. The more slaves the better. It is a benefit to them to be brought from Africa into this Christian country—a great benefit; and, therefore, it ought to be made as extensive as possible. I say that that is a good and logical conclusion from the gentleman's premises. I am well aware of the change which is taking place in the moral and political philosophy of the South. I know well that the doctrine of the Declaration of Independence, that "all men are born free and equal," is there held as incendiary doctrine, and deserves Lynching; that the Declaration itself is a sarrago of abstractions. I know all this perfectly; and that is the very reason that I want to put my foot upon such doctrine; that I want to drive it back to its fountain—its corrupt fountain—and pursue it till it is made to disappear from this land, and from the world. Sir, this philosophy of the South has done more to blacken the character of this country in Europe than all other causes put together. They point to us as a nation of liars and hypocrites, who publish to the world that all men are born free and equal, and then hold a large portion of our own population in bondage.

But I have been drawn into observations which are here very much out of place; and which I should probably not have made, and certainly not with the force I have endeavored to give them, had it not been for the interruption of the gentleman from South Carolina. If he will put such questions, he must expect to receive answers corresponding to them; and he will receive not only my answers, but those of others, who are far deeper thinkers than I, not only in this country, but abroad; for this debate will go on the wings of the wind. The account of the gentleman's principles will come back from all parts of Europe and of the civilized world in hisses and execrations, that a man should have been found, in the highest legislative body of this free Republic, to avow opinions such as we have just heard from the lips of that gentleman. I shall dismiss that branch of the subject now. If the gentleman is desirous of more, if he wishes to enter into a full and strict scrutiny of the question of slavery, in all its bearings, either at this session or the next, and God shall give me life, and breath, and the faculty of speech, he shall have it, to his heart's content.

I pass now to the resolution I have offered in the shape of an amendment to the motion of the gentleman from South Carolina, [Mr. THOMPSON.] And the first position I there assume is, that neither Congress nor any department of this Government has power under the Constitution to annex a foreign independent State to this Union. It is obviously a constitutional question; and one, in my judgment, so clear as to admit but of little argument or illustration. The Declaration of Independence, which united the People of thirteen separate and independent States into one, speaks from the beginning to the end in the name of the People. In the very preamble of the instrument it says:

"When, in the course of human events, it becomes necessary for ONE PEOPLE to dissolve the political bands which have connected them with ANOTHER, and to

assume among the Powers of the earth the separate and equal station to which the laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation."

One *People* here solemnly dissolves its former political relations to another *People*. There is the foundation of the whole instrument. It goes on to assign the reasons why one *People* have thus resolved to separate themselves from another with which they had been connected, and to form a distinct and independent nation. After a declaration of self-evident truths, with which I will not afflict the ears of the gentleman from South Carolina, or of any who think, with him, that slavery is a blessing, it goes on to say :

"We, therefore, the representatives of the United States of America, in general Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, *in the name and by the authority of THE GOOD PEOPLE of these colonies*, solemnly publish and declare, that these United Colonies are, and of right ought to be, free and independent States," &c.

The declaration is made in the name and by the authority of this one *People*, thus separating themselves from another nation. Thus it was that the Union of these States was first formed, in the name of the *People*, and by the representatives of the *People*.

I pass on from that to the Constitution of the United States : observing, however, that there was an intermediate period in which was attempted a confederation of the States, to which the *People* should not be parties. It was attempted by their representatives in Congress, and afterwards sanctioned by the respective State Legislatures. It was compacted as strongly as in the nature of things it could be. But still it was found a rope of sand. And why ? It was not the act of the *People*. And the remedy, under the auspices of that illustrious man who has recently departed from us, Mr. Madison, was to resort to an act of the *People*, not of the States. The very first words were such as put the *People* in action ; they declare that it is the act of one *People*, who have separated themselves from another, and have agreed to form for themselves this Constitution of Government.

I shall not enter on the captious quibbling whether the *People* voted man by man, throughout the Union, or whether they voted by their representatives in special conventions assembled in each of the States separately. It is not necessary to settle any such questions. These are the cobweb threads of Nullification, all spun from the bowels of slavery. The language of the whole instrument is, "We the *People*." It has, from the beginning, been the Government of "us the *People*," and will, I trust, be that of our posterity.

[Here the morning hour expired.]

TUESDAY, JULY 3, 1838.

Mr. ADAMS said that the immediate question now before the House was a constitutional question. It arose on the amendment he had offered, which declared that neither Congress nor any other department of the Government of the United States had power, under the Constitution, to annex the *People* of a foreign independent State into the Union.

In support of this position, he had been endeavoring to show that the

Government of the United States is a compact of the People of the United States, and, for this end, he had read portions of the Declaration of National Independence, by which the Union of these States was formed; from which it appeared that the signers of that instrument, every where, spoke in the name and by the authority of the People of these States as **ONE PEOPLE**. The same thing appeared in the very first words of the Constitution, "We the People." The whole Constitution derived its force solely from those words. It was prepared by a special convention, assembled under the authority of the Legislatures of the States; and they prepared it as an attorney would prepare any legal paper for another to sign, but which was in itself of no force or validity whatever, until executed by the person in whose name it was drawn up. This was an instrument running in the name of the People, but it was of no effect until the People, by their sovereign act, sanctioned and gave it validity. This (said Mr. A.) is the foundation of the Government of the United States as it now exists.

As a further authority, to the same effect, I will now read a line or two of the Farewell Address of the first President. The address itself is directed to the **PEOPLE** of the United States, and was delivered towards the close of his public services as their first Chief Magistrate:

"Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution, WHICH IS THE WORK OF YOUR HANDS, may be sacredly maintained; that its administration, in every department, may be stamped with wisdom and virtue; that, in fine, the happiness of the **PEOPLE** of these States, under the auspices of liberty, may be made complete, by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection, and the adoption of every nation which is yet a stranger to it.

"Here, perhaps, I ought to stop; but a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments, which are the result of much reflection, of no inconsiderable observation, and which appear to me all-important to the permanency of your felicity AS A **PEOPLE**."

Again, he says:

"The unity of Government, which constitutes you **ONE PEOPLE**, is also now dear to you."

I cite this to show that, in the understanding of George Washington, this is the Union of **ONE PEOPLE** formed by the People themselves. No other authority on earth could create such a Union. I might further cite the fact that the Constitution was originally adopted by only eleven States of the thirteen, who carried through the struggle of the Revolution; the two remaining States viz: Rhode Island and North Carolina, having remained without the Union for two years after its formation, and became parties to it only by the action of *the People* of those States respectively. And, whenever new States have been admitted into it, it has always been by the act and operation of the People of such States and of the United States.

This principle is so familiar to all the People of the United States, and, until of very late years, has remained so utterly unquestioned, that it really seems as if I was occupied in supporting a truism, and laboring to prove that which nobody denies; yet it is denied, in the proposition



that Congress has power to annex the foreign State of Texas to this Union.

This proposition is attempted to be supported solely on the ground of precedent; the sole support it has is to be found in the fact that both Louisiana and Florida have actually been so admitted without any action on the part of the People.

I regret that it thus becomes necessary to bring up a question of great concernment, which was agitated at the time when that annexation took place. It was universally admitted, previously to the Congress at which Louisiana was admitted into the Union, both by the "strict constructionists," as they were called, and by a different party, whom they, in turn, branded as latitudinarians, that there was no power in Congress to receive a foreign State. It is well known that the gentleman who was at that time the Chief Magistrate was himself one of the strict constructionists; and he is, to this day, considered as, if not the founder, the great apostle of that political sect. It was my fortune to take my seat in another part of this Capitol at the extra session of Congress called for the express purpose of considering on the admission of Louisiana. In justice to the subject, I shall be obliged to show to the House, first, what were the opinions of the then Chief Magistrate in that matter; then, what were my own opinions; then, what was his action; and, lastly, what was my own action, on that occasion.

I have stated that the Chief Magistrate has always been, and still is considered as, the founder of the sect of strict constructionists. Whatever reputation I may myself have had, it certainly never was that of a strict constructionist. I have before me a political journal of the present day, in which a very different representation of my opinions is given, and in which a heavy charge is advanced against the integrity of my private conduct. I will read to the House from a letter addressed to the editor of the Richmond Enquirer. It seems that the editor of that journal, in discussing the scheme of a sub-treasury, had permitted himself to make an extract from the Constitution of the United States; and in that extract was contained the eighth section of the first article, in these words:

"The object of the Government is to lay and collect taxes, duties, imposts, and excises; to pay the debts and provide for the common defence and general welfare of the United States."

And had committed the enormous crime, the fraud, the forgery, of putting after the word "excises" *a semicolon instead of a comma!* [A laugh.] This produces the letter in which the writer takes the editor to task for his preference of a deposite system over the project of a sub-treasury. His objection, he says, is to the punctuation; you have inserted a semicolon where there ought to have been a comma!

"My objection is to the punctuation. After the word 'excises,' you use a semicolon instead of a comma; and I submit to you, if the use of a semicolon instead of a colon does not enlarge the powers of Congress beyond what you and the other strict constructionists, anti-tariffites, &c., admit to be proper."

There is the great principle of the delegation of power to the Government of the United States; the grand difference between two political schools lies in substituting a colon (for it is a colon, and not a semicolon) for a comma! [Laughter.] For this we have declamation against

tariffs, banks, deposit laws, sub-treasuries, and every fiscal power which the Government can exercise. There it is. That I take to be the one article of the creed of the entire school of which the then Chief Magistrate of the United States was the father and founder.

The correspondent of Mr. Ritchie proceeds :

"A hint to you is enough. I refer you to all the *early* publications of that instrument, especially to the 1st vol. United States Laws, published in 1796. *It is said that John Q. Adams was the first to introduce the semicolon, and all of his party have carried out the political fraud.* Has Congress the power to lay and collect taxes, duties, imposts, and excises, at *their will*, or merely to pay the debts and provide for the common defence and general welfare of the United States? I anticipate your answer. You will say, the *Constitution*, and not the *will of Congress*, is to rule. Pardon me, I pray you; I design to act as a political, as I am your *personal* friend.

"Very respectfully,

"A STRICT CONSTRUCTIONIST."

"It is said"—I now ask the House to attend to what is said—"It is said that John Q. Adams was the first to introduce the semicolon, and all of his party have carried out the political fraud." There is the great and heinous political fraud; first introduced by John Q. Adams, by substituting a colon for a comma! [Loud laughter.] Now, I believe that the Richmond Enquirer is a sort of oracle in Virginia; and I fear exceedingly that my fellow-citizens of Virginia, (for whom I feel the same strong attachment which I do for my fellow-citizens of Massachusetts,) a great multitude of them, seeing such a position taken in that paper, will actually believe that I was, indeed, the first to introduce this terrible colon instead of a comma, and that because "it is said." For that reason, I greatly fear they will credit not only the assertion that I was the first to perpetrate that atrocious deed, but that I was at heart fraudulent, and a sort of character to whom such proceedings are familiar.

Sir, I wish not to dwell longer than necessary on this matter, nor further than to state the actual fact. The publication to which this writer refers was made by me while Secretary of State. I was charged with the duty of having the debates in the general convention which formed the Constitution printed under my direction. The copy where this formidable colon makes its appearance was made in 1819. A MS. copy of all the papers of the convention of 1787, with the *comma* after the word "excises," just as it was written in the original Constitution, was sent to the publisher at Boston; but he, as a printer, instead of printing from this MS. furnished to him from the Department of State, for the convenience of printing from print instead of manuscript, took an old printed copy of the Constitution, contained in a volume of the Laws of Massachusetts, and in that was this mischievous COLON.

After this, a great debate took place in this House, and a Representative from the State of Virginia, now no more, made this grand discovery, that there was a colon instead of a comma; and he, on the floor of the House, without naming or charging me in the matter, spoke of it as a fraud and a forgery, copied from that (supposed) authentic copy into all the copies of the Constitution published since. In consequence of these remarks of his, another member from Virginia, a friend of mine, who thought my reputation implicated, informed me of the speech, and of the charges which had been advanced. It was not, indeed, directed at me

personally, but, as the book had been printed under my supervision, I was thought to be involved in it. The gentleman who had made the charge, at the request of my friend, examined the original copy of the Constitution, and the MS. copy by me forwarded to the printer, and there he found the comma; whereupon, he declared himself fully satisfied, so far as I was concerned. But now, fifteen or sixteen years after all this, the charge reappears in this oracular journal of Virginia. It is revived; and the readers of that journal are told that "it is said" I was the first man thus to corrupt the copies of the Constitution, and that all my friends and supporters have carried on the same fraud and deception ever since. Now, as to the fact. This book, as I have said, was published in 1819. Now here is a copy of laws published during the administration of Mr. Madison, under the direction of James Monroe, Secretary of State, and Richard Rush, Attorney General of the United States, in 1815, four years before my publication of the Journal of the Convention, and here is found that same identical formidable and fraudulent SEMICOLON! [A laugh.]

So much for this fraud, of which I AM SAID to have been the originator; and whatever may be said of me hereafter, I hope my friends from Virginia, in this House, will acquit me, at least, from that crime.

This, however, is somewhat aside from what I was speaking about; which was, the strictness of that Chief Magistrate by whom Louisiana was admitted into the Union. I will now return, and read to the House, from his published writings, what was his opinion as to the constitutionality of that admission.

I have here his letter of the 12th August, 1803. It will be recollected that the Louisiana treaty had been signed in April of that year, and Congress was called to meet on the 17th October. The letter is addressed to Mr. Breckenridge, then a member of the Senate, afterwards Attorney General of the United States. It relates entirely to the subject of Louisiana; but I will read that portion only which refers to the constitutional power of Congress to admit that country into the Union.

"The inhabited part of Louisiana, from Point Coupee to the sea, will of course be immediately a Territorial Government, and soon a State. But, above that, the best use we can make of the country, for some time, will be to give establishments in it to the Indians on the east side of the Mississippi, in exchange for their present country, and open land offices in the last, and thus make this acquisition the means of filling up the eastern side, instead of drawing off its population. When we shall be full on this side, we may lay off a range of States on the western bank, from the head to the mouth, and so, range after range, advancing compactly as we multiply.

"This treaty must, of course, be laid before both Houses, because both have important functions to exercise respecting it. They, I presume, will see their duty to their country in ratifying and paying for it, so as to secure a good which would otherwise probably be never again in their power. But I suppose they must then appeal to the nation for an additional article to the Constitution, approving and confirming an act which the nation had not previously authorized. The Constitution has made no provision for our holding foreign territory, still less for incorporating foreign nations into our Union. The Executive, in seizing the fugitive occurrence which so much advances the good of their country, have done an act beyond the Constitution. The Legislature, in casting behind them metaphysical subtleties, and risking themselves like faithful servants, must ratify and pay for it, and throw themselves on their country for doing for them unauthorized what we know they would have done for themselves had they been in a situation to do it. It is the case of a guardian, invest-

ing the money of his ward in purchasing an important adjacent territory; and saying to him, when of age, I did this for your good; I pretend to no right to bind you; you may disavow me, and I must get out of the scrape as I can; I thought it my duty to risk myself for you. But we shall not be disavowed by the nation, and their act of indemnity will confirm and not weaken the Constitution, by more strongly marking out its lines."—*Jefferson's Writings*, vol. iii, p. 512.

Now if it is possible to express an opinion on any constitutional question, it is expressed in that letter, without qualification. He says expressly, "still less has Congress power to incorporate foreign nations into the Union."

But that is not the only case in which the same person has expressed the same opinion. There is another letter here, addressed to Levi Lincoln, (the father of my honorable colleague,) then Attorney General of the United States, and dated the 30th August, 1803. It seems the writer had consulted with him as to what was to be done; and there had probably been prepared the draught of an amendment to the Constitution, intended to meet the case, and legalize the act of admission.

"On further consideration as to the amendment to our Constitution respecting Louisiana, I have thought it better, instead of enumerating the powers which Congress may exercise, to give them the same powers they have as to other portions of the Union generally, and to enumerate the special exceptions, in some such form as the following:

"Louisiana, as ceded by France to the United States, is made a part of the United States; its white inhabitants shall be citizens, and stand, as to their rights and obligations, on the same footing with other citizens of the United States, in analogous situations. Save only that, as to the portion thereof lying north of an east and west line drawn through the mouth of Arkansas river, no new State shall be established, nor any grants of land made, other than to Indians, in exchange for equivalent portions of land occupied by them, until an amendment of the Constitution shall be made for these purposes."—*Jefferson's Writings*, vol. iv, p. 1.

There is another letter to Wilson Carey Nicholas, then a member of the Senate, and one of the most distinguished sons of Virginia, afterwards a member of this House, and subsequently Governor of the Commonwealth. This distinguished man was, at that time, the intimate and confidential friend of Mr. Jefferson. Here the writer says:

"Whatever Congress should think it necessary to do, should be done with as little debate as possible, and particularly so far as respects the constitutional difficulty. I am aware of the force of the observations you make on the power given by the Constitution to Congress to admit new States into the Union, without restraining the subject to the territory then constituting the United States. But when I consider that the limits of the United States are precisely fixed by the treaty of 1783, that the Constitution expressly declares itself to be made for the United States, I cannot help believing the intention was not to permit Congress to admit into the Union new States, which should be formed out of the territory for which, and under whose authority alone, they were then acting. I do not believe it was meant that they might receive England, Ireland, Holland, &c., into it, which would be the case on your construction. When an instrument admits two constructions, the one safe, the other dangerous, the one precise, the other indefinite, I prefer that which is safe and precise. I had rather ask an enlargement of power from the nation, where it is found necessary, than to assume it by a construction which would make our powers boundless. Our peculiar security is in the possession of a written Constitution. Let us not make it a blank paper by construction. I say the same as to the opinion of those who consider the grant of the treaty-making power as boundless. If it is, then we have no Constitution. If it has bounds, they can be no others than the definitions of the powers which that instrument gives. It specifies and delineates the operations permitted to the Federal Government, and gives all the powers necessary to carry

these into execution. Whatever of these enumerated objects is proper for a law, Congress may make the law; whatever is proper to be executed by way of a treaty, the President and Senate may enter into the treaty; whatever is to be done by a judicial sentence, the judges may pass the sentence. Nothing is more likely than that their enumeration of powers is defective. This is the ordinary case of all human works. Let us go on then perfecting it, by adding, by way of amendment to the Constitution; those powers which time and trial show are still wanting. But it has been taken too much for granted that by this rigorous construction the treaty-power would be reduced to nothing. I had occasion once to examine its effects on the French treaty, made by the old Congress, and found that out of thirty odd articles which that contained, there were one, two, or three only, which could not now be stipulated under our present Constitution. I confess, then, I think it important, in the present case, to set an example against broad construction, by appealing for new power to the People. If, however, our friends shall think differently, certainly I shall acquiesce with satisfaction; confiding that the good sense of our country will correct the evil of construction when it shall produce ill effects."—*Jefferson's Writings*, vol. iv, p. 2.

That was in September, 1803. There are others. One was written to Dr. Sibley, in all which he expressed, in terms quite as strong as those I have now cited, the opinion that there was no power in Congress to admit the People of a foreign State into the Union, or even to annex the territory itself to ours.

On this latter point I differed from him. I thought Congress might constitutionally annex the territory, the mere soil; but not the living man; the inhabitants have rights on the part of themselves, and there are corresponding rights on the part of those to whom they are to be annexed, over which Congress has, and can have, no power or control.

It is well known, however, that, notwithstanding all these expressions of opinion, the act of admission was nevertheless consummated by the Congress of the United States, and Louisiana is now a part of the Union. I have, however, no hesitation in saying that the act was, in itself, null and void, and a majority of the People might have resisted and put it down. I never have thought that the acquisition of Louisiana was legalized by any thing else than by the acquiescence of the People. Yet, when a question is up before this body touching banks, or the currency, or tariffs, the whole House bristles up with gentlemen who will tell you that an acquiescence by the People for thirty and forty years is of no effect whatever; that a constitutional question always remains; that the People are always free to put down an unconstitutional usurpation, &c. Sir, this is going beyond my theory.

But I stated to the House that after exhibiting the opinions of the President of the United States respecting this annexation of Louisiana, and what was his practice, I would then state what had been my own. I come now to that part of my subject.

Having taken my seat, as I said, in the other branch of the National Legislature, at the session of Congress called for the confirmation of the treaty of Louisiana, I was in favor of the acquisition, and willing to do all in my power to carry it into effect. In the 4th volume of Elliot's Debates, there is a speech which I made on that subject in the Senate.

[Here the morning hour expired, and Mr. A. resumed his seat.]

WEDNESDAY, JULY 4, 1838.

MR. ADAMS observed that, after having adverted to the constitutional opinions and to the practical action, with regard to the acquisition of

Louisiana and the annexation of the People of that country to the United States, of the Chief Magistrate by whom that measure was consummated, he would now exhibit what had been his opinions and his corresponding action upon the same occasion. He had been describing his course on the subject of the cession of Louisiana, and had expressed his opinion that Congress could not take possession of a foreign territory, and annex the People thereof to the Union, without an amendment of the Constitution. He said he had taken his seat as a member of the Senate of the United States in October, 1803, at the session specially called by Mr. Jefferson, for the consideration of the Louisiana treaty and convention; and he would first refer to the remarks made by him on the bill authorizing the creation of a stock to the amount of \$11,250,000 for the purpose of carrying the convention into effect. They were reported in the 4th volume of Elliot's Debates on the Constitution, which he sent to the Clerk's table, with the request that they might be read:

“MR. ADAMS. It has been argued that the bill ought not to pass, because the treaty itself is an unconstitutional, or, to use the words of the gentleman from Connecticut, (Mr. TRACY,) an extra constitutional act, because it contains engagements which the powers of the Senate were not competent to ratify; the powers of Congress not competent to confirm, and, even as two of the gentlemen have contended, not even the Legislatures of the number of States requisite to effect an amendment of the Constitution are adequate to sanction. It is, therefore, they say, a nullity. We cannot fulfil our part of its conditions, and, on our failure in the performance of any one stipulation, France may consider herself as absolved from the obligations of the whole treaty on hers. I do not conceive it necessary to enter into the merits of the treaty at this time. The proper occasion for that discussion is past. But allowing even that this is a case for which the Constitution has not provided, it does not in my mind follow that the treaty is a nullity, or that its obligations either on us or on France must necessarily be cancelled. For my own part, I am free to confess, that the third article, and more especially the seventh, contain engagements placing us in a dilemma, from which I see no possible mode of extricating ourselves but by an amendment, or rather an addition to the Constitution.

“The gentleman from Connecticut, (Mr. TRACY,) both on a former occasion, and in this day's debate, appears to me to have shown this to demonstration: but what is this more than saying that the President and Senate have bound the nation to engagements which require the co-operation of more extensive powers than theirs to carry them into execution? Nothing is more common in the negotiations between nation and nation, than for a minister to agree to and sign articles beyond the extent of his powers. This is what your ministers, in the very case before you, have confessedly done. It is well known that their powers did not authorize them to conclude this treaty, but they acted for the benefit of their country, and this House, by a large majority, has advised to the ratification of their proceedings. Suppose, then, not only that the ministers who signed, but the President and Senate who ratified this compact, have exceeded their powers. Suppose that the other House of Congress, who have given their assent by passing this and other bills for the fulfilment of the obligations it imposes on us, have exceeded their powers. Nay, suppose even that the majority of the States competent to amend the Constitution in other cases could not amend it in this without exceeding their powers, (and this is the extremest point to which any gentleman on this floor has extended his scruples)—suppose all this, and there still remains in the country a power competent to adopt and sanction every part of our engagements, and to carry them entirely into execution. For, notwithstanding the objections and apprehensions of many individuals, of many wise, able, and excellent men, in various parts of the Union, yet such is the public favor attending the transaction which commenced by the negotiation of this treaty, and which I hope will terminate in our full, undisturbed, and undisputed possession of the ceded territory, that I firmly believe if an amendment to the Constitution, amply sufficient for the accomplishment of every thing for which we have contracted, shall be proposed, as I think it ought, it will be adopted by the Legislature of every State in the Union.

We can, therefore, fulfil our part of the conventions, and this is all that France has a right to require of us. France can never have a right to come and say—"I am discharged from the obligation of this treaty, because your President and Senate, in ratifying, exceeded their powers," for this would be interfering in the internal arrangements of our Government. It would be intermeddling in questions with which she has no concern, and which must be settled altogether by ourselves. The only question for France is, whether she has contracted with the department of our Government authorized to make treaties; and this being clear, her only right is to require that the conditions stipulated in our name be punctually and faithfully performed. I trust they will be so performed, and will cheerfully lend my hand to every act necessary to the purpose. For I consider the object as of the highest advantage to us; and the gentleman from Kentucky himself, who has displayed with so much eloquence the immense importance to this Union of the possession of the ceded country, cannot carry his ideas further on the subject than I do.

"With these impressions, sir, perceiving in the first objection no substantial reason requiring the postponement, and in the second no adequate argument for the rejection of this bill, I shall give my vote in its favor."

Mr. ADAMS resumed. A few days after the debate in the Senate, in the course of which he had given these views, he had called on Mr. MADISON, and expressed them to him. Mr. MADISON concurred with them entirely. I inquired of him whether or not it were probable that any member of Congress, in the confidence of the Administration of that day, would bring forward a proposition to that effect? To these questions Mr. M. had responded that he was not aware of any such intention on the part of any member. Mr. A. had then told Mr. M. that he should wait a reasonable time, and, if not made in any other quarter, should himself propose an amendment of the Constitution. Accordingly, he draughted such an amendment, and, when he showed this afterwards to Mr. MADISON, the latter observed that, in his opinion, an amendment, in these words, "Louisiana is hereby annexed to the United States," would be all that would be necessary. A few days after this, on the 25th of November, 1803, he (Mr. A.) did bring forward the following proposition:

"Resolved, That a committee of — members be appointed to inquire whether any, and, if any, what further measures may be necessary for carrying into effect the treaty between the United States and the French Republic, concluded at Paris on the 30th of April, 1803, whereby Louisiana was ceded to the United States; which committee may report by bill or otherwise."

But (resumed Mr. ADAMS) it had been determined by the *COMMA-ITES* of the day that the annexation should be made by act of Congress. For as, according to the authentic testimony of Captain Lemuel Gulliver, the people of the kingdom of Lilliput were divided into two great violently contending parties upon the vitally important question whether an egg should be broken at the larger or the smaller end, and were known to all the rest of mankind by the name of the *Big-endians* and the *Little-endians*, so the people of this our beloved country, conscientiously and scrupulously bound to support the Constitution of the United States, each individual among us *as he understands it*, are divided into two great and inveterate parties, who may, with propriety, be denominated the *Comma-ites* and the *Semicolon-ites*; the *Comma-ites* believing that the only effective limitation of the powers of Congress in the Constitution of the United States, which can save the whole nation and their posterity, to the end of time, from the gulf of consolidation and all the horrors of monarchy, is a *comma*, in the 1st paragraph of the 8th section of the 1st article of the Constitution; and the *Semicolon-ites* believing that the

powers of Congress depend not in the minutest particle upon this error of punctuation, and that whether the paragraph be written or printed with a comma or a semicolon, the powers delegated by it to Congress are precisely and identically the same; that whether the power "to lay and collect taxes, duties, imposts, and excises," be a distinct and separate grant from that "to pay the debts and provide for the common defence and general welfare of the United States," or whether it be a single grant of means to the attainment of an end, namely, the payment of the debts and provision for the common defence and general welfare of the Union, the extent of power granted is precisely the same. Thus stands the difference of principle. The Comma-ites allege that the power to lay and collect taxes, duties, imposts, and excises, is *limited* to the express purposes of the grant—the payment of debts and provision for the common defence and general welfare; and that Congress have no power to levy taxes, duties, imposts, and excises, for any other purpose; and, further, that the end to be obtained—payment of debts, common defence, and general welfare—is also *limited* to the means granted, the power of taxation; and that Congress have no lawful authority to provide for this end by any other means. They insist that the grant of power is limited by the expressed purpose, and that the purpose is limited by the specification of the power. The Semicolon-ites, admitting that the comma is the punctuation of the constitution as engrossed on parchment in the archives of the Department of State, and that the semicolon and the colon, appearing in many printed copies of the constitution, are errors of the press, originating they know not how or when, or by whom, consider them as perfectly immaterial. The ambiguity of the sense, they think, consists not in the punctuation, but in the phraseology—in the repetition of the infinitive mood in the verb *to pay*, which infinitive mood is used throughout the section to mark the several specifications of the granted powers, and only in this and in one other passage to indicate the purpose for which the power is granted. But they maintain that as the whole power of taxation, in all its forms, is delegated to Congress for the expressed purpose of paying the debts and providing for the common defence and general welfare of the Union, so Congress may, by another grant of power, enact other laws *necessary and proper* to carry into execution the same purposes—payment of the debts and provision for the common defence and general welfare of the Union.

Now the Comma-ites contend that the payment of the debts, and the provision for the common defence and the general welfare, being merely ends to be obtained, are no grants of power at all. They are strict constructionists; and the President of the United States at the time of the Louisiana treaty was considered, as he has ever since been held, the founder of their sect—the first and foremost of their leaders. The President of the United States of that day, and his friends, were Comma-ites—professed strict constructionists; and yet that Congress and that Administration did annex Louisiana to the Union. He himself (Mr. A.) was a Semicolon-ite, and believed that Congress had the power to levy duties and to pay the debts of the Union, and that the question was one of complete indifference whether the power to levy taxes and the power to pay the debts were distinct and separate grants, or whether the power to levy taxes was granted for the purpose of accomplishing the



payment of the debts. He was a liberal constructionist, and yet did not consider the Constitution as a delegation of unlimited powers. He was, according to the vocabulary of the *Richmond Enquirer*, a latitudinarian; and yet he found nowhere in the Constitution a power granted to Congress to make a whole foreign People citizens of the United States. He was, according to the correspondent of the *Richmond Enquirer*, by the generous imputation of an "it is said," not only a Semicolon-ite, but the fraudulent inventor of the semicolon, and falsifier of the Constitution. He trusted he had proved that neither the honor nor the shame of that invention belonged to him. But when Louisiana was purchased, he did believe that the annexation of the People of that province to this Union transcended the lawful power of Congress, and required the explicit assent both of the People of the United States and of the People of Louisiana. Under these impressions, he offered to the Senate of the United States the resolution recorded upon their Journal of the 25th of November, 1803; and, in offering it, assigned, more at large than he had done in his remarks of the preceding 25th of October, his reasons for believing an amendment to the Constitution indispensable for annexing the *People* of Louisiana to this Union. But his motion for the appointment of a committee was rejected. The Comma-ites, the strict constructionists, the most straitest sect of the Pharisees, passed an act for the temporary government of Louisiana, giving to the President of the United States, within that Territory, all the powers that had ever been exercised there by the King of Spain. Afterwards, during the same session of Congress, they extended the laws of the United States over the Territory, and among the rest the revenue laws. He then made one more, and a last effort to record his solemn dissent to all those proceedings, as utterly unwarranted by the Constitution of the United States, by the following resolutions:

"*Resolved*, That the People of the United States have never, in any manner, delegated to this Senate the power of giving its legislative concurrence to any act for imposing taxes upon the inhabitants of Louisiana without their consent.

"*Resolved*, That, by concurring in any act of legislation for imposing taxes upon the inhabitants of Louisiana without their consent, this Senate would assume a power unwarranted by the Constitution, and dangerous to the liberties of the People of the United States.

"*Resolved*, That the power of originating bills for raising revenue being exclusively vested in the House of Representatives, these resolutions be carried to them by the Secretary of the Senate: that, whenever they think proper, they may adopt such measures as to their wisdom may appear necessary and expedient for raising and collecting a revenue from Louisiana."

The resolutions were rejected by yeas and nays, 4 to 22.

Such then was the *theory*, and such was the *practice* of the Comma-ites, the strict constructionists, with Mr. Jefferson at their head, at the time of the acquisition of Louisiana. Mr. Jefferson's *opinions* appear in the letters from which extracts have been read; his *acts* appear upon the statute book. He signed the act giving to himself the powers of the King of Spain throughout the Territory of Louisiana. He signed the acts for taxing the inhabitants of Louisiana, and for extending the laws of the United States over the Territory. Mr. ADAMS voted against them all during that session. Afterwards, considering the acquiescence of the People of the United States and of Louisiana in the execution of those

laws, and their submission to them, as giving them, by tacit assent, a sanction equivalent to the popular voice, he has considered the constitutional question as settled, so far as the precedent extended; and, at a subsequent period, contributed, without hesitation, his official service to a course of measures precisely similar, to accomplish the acquisition of the two Floridas. The constitutional scruple has disappeared. He has considered that the treaty-making power, together with the power of admitting new States into the Union, and a *very* liberal construction of the power of levying taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and *general welfare*, are in their combination adequate to the annexation of a foreign Territory to this Union. But he still believes that the annexation of a foreign *People* cannot be effected but by their own consent, and the consent of the People of the United States. This latter consent Congress has no power to give. It must be by an act of the People themselves, represented in special conventions, as they gave their consent to the existing Constitution; and my heart's desire and prayer to God is that they never will consent to be united with a People whose first entrance into the world of independent nations is with the ignominious brand of freemen transformed to slaves upon their brow.

On the principle laid down in the resolutions he had offered to the Senate, he believed, and still believes, that it was perfectly competent for the People of the United States to have declared the Union then and thereby at an end; and he knew that there was, indeed, such a project at the time on foot. At that time it might have properly and consistently been carried into effect.

Mr. A. then adverted to another principle in the case of Louisiana, distinguishing it from that immediately under consideration. When the debates he had been describing took place, a reply had been given to some remarks of his own, to the effect that Louisiana was a province of a foreign Sovereign; that that Sovereign had absolute power over that province, and, by virtue thereof, had transferred to the United States his right to and power over the same; that, by the customary law of nations, among European Powers, the People were liable to be thus transferred without their consent; that the People of Louisiana had been thus transferred, and could only claim the rights stipulated for them by the treaty—which were, that they should be incorporated into the Union, and thereby become entitled to the enjoyment of all the rights of citizens of the United States.

Now, sir, (argued Mr. A.) this principle, whether applicable or not in the other case, can have no application to the present case. Texas is not now the province of an absolute Sovereign. The People thereof have formed a Republic. They have declared themselves independent. This Government has distinctly recognised them as such. Now it is alleged that this People, thus independent, have acted for themselves in this matter; they have expressed their wish, and made their application, to become a part of this Union. They have done their part. Mr. A. admitted it. He had no authentic announcement of the fact. He found it conceded, and referred to as a fact, in the Texian legislative debates. So far, every thing had been consistent with the proper principle; the principle that he (Mr. A.) had always contended for. But, as the appli-

cation for admission into the Union had been made by the People of Texas, so only could it be entertained by the People of the United States. It was a question to be settled by the representatives of the People, in special conventions of the several States, for that purpose assembled. This seemed to him a very plain and simple principle; and, to his mind, presented very distinctly the exact difference between the Louisiana and Florida cases and that immediately under consideration.

Thus far (continued Mr. A.) we have been considering the constitutional principles involved in this case. There are, however, other objections with me to the annexation of Texas to this Union—objections, the discussion of which I feel some embarrassment in approaching. I wish to proceed with this argument without giving offence to any one, and without intrenching upon the order of debate. But the petition which I first presented to this House, and which was referred to the Committee on Foreign Affairs, and read here by me during this discussion, protests against this annexation; not on the ground of constitutional principles; not on the ground that such annexation, if it take place at all, must be by the action of the People; but the memorial protests against the annexation to this Union of Texas as a slave State; as a Republic, in which slavery, having once been destroyed, has been reinstituted, and in which it is perpetuated beyond the reach of the Legislature itself. In the resolutions of the State Legislatures, which had been presented, with regard to this subject, and which had been referred to the Committee on Foreign Affairs, and by them returned, unread, to the House, this was the point on which, upon both sides, the chief stress was laid. One side memorialized Congress to admit Texas to the Union as a slave State; this was the ground on which it was asked; this the motive which, it is hoped, would impel Congress to sanction it. The other side resisted such annexation on precisely the converse ground; that it would add more slave territory to the Union, and would extend the institution of slavery within its limits. The terms of these petitions, memorials, and resolutions, it would be seen, had thus explicitly brought the whole question of slavery before Congress upon its merits: slavery, as an institution; as affecting the morals and the policy of the nation. And the question, which, when asked a few months ago, on that floor, by the gentleman from Vermont, [Mr. SLADE,] produced such a convulsion in that body, had now come up fairly and distinctly before the House for its consideration; and no definitive settlement of this matter could be had until that question—What is slavery?—should be fairly examined and answered. And yet (Mr. A. said) it was his wish to avoid that subject, as much as possible, in this discussion. He had always declared such to be his wish and intention; and he had now been forced into the discussion of it by what had fallen from different gentlemen during the debate. One of these [Mr. ELMORE] had designated his remarks as “insane ravings,” in his place; a gentleman distinguished, generally, for politeness, courtesy, and urbanity; and that gentleman, too, the minister plenipotentiary of the Southern conventicle, which—

[Here Mr. ELMORE rose and disclaimed any intention of hurting the feelings of the gentleman from Massachusetts by the hasty remark to which the latter had adverted. That remark fell from him in a mo-

mentary feeling of irritation, and was regretted as much by himself as it could be by any other member on that floor.]

Mr. ADAMS was satisfied with the explanation, and was glad to be spared the necessity of commenting on the appropriateness and good taste of such an imputation as the member from South Carolina had permitted himself to make upon remarks which had been uttered, in order, in debate. He had known instances before in which madness was imputed to the zealous opponent of erroneous principles. He remembered to have read the story of a discussion, not dissimilar in principle to the present, in which such an imputation had been made against the "ravings" of one whose shoe's latchet he himself was unworthy to loose, for his zealous advocacy of the truth. Had the honorable member ever heard of that case? Paul stood before Festus, the Roman Governor, and King Agrippa, and delivered one of those eloquent discourses which have won the admiration of ages, and, in the midst thereof, he was interrupted by the Roman Governor, who "said, with a loud voice, Paul, thou art beside thyself! Much learning doth make thee mad." The apostle contented himself with simply responding, "I am not mad, most noble Festus, but speak forth the words of truth and soberness;" and Mr. A. would beg the gentleman from South Carolina to receive from him the same answer, not as "insane ravings," but as "the words of truth and soberness."

Mr. A. added, that he had felt more sensibly the force of such an expression, proceeding, as it had, from a gentleman whom the House would do himself the justice to say he drew with a graphic hand, as an accomplished gentleman, a cultivated scholar, and a man of strong mind and judgment. This was a tribute due to that honorable member from all who had read the correspondence which he had had, as the minister plenipotentiary of the Southern conventicle that recommended "the gag" to be applied to members of that House, upon certain subjects, with a gentleman, [Mr. Birney,] his equal in mind, and in the power of cool deliberate investigation of the high principles involved in that discussion. He (Mr. A.) was happy that that correspondence had been spread before the nation, to be judged of as it deserved, on both sides.

But all this (Mr. A. remarked) was but incidental to what he had set out with asserting, that the discussion of this part of the subject had been forced upon him by the remarks of others. When the gentleman from South Carolina, [Mr. PICKENS,] who was now absent from his place for a cause which he most deeply lamented, [illness in his family at home,] had declared his wish, at a former session, to open this debate, upon the issue of slavery upon its merits, Mr. A. said he had given that honorable member notice that, when that issue was opened upon that floor, the advocates of slavery would most surely find that there were two sides to the debate, and that they would not be permitted to be the only parties who should be heard thereupon. And he trusted that the gentleman who had now tendered this issue, by the resolution he had offered, and which was then under consideration, [Mr. THOMPSON,] did not indulge the idea that it would be decided until both sides should be heard thereon. And when his friend by his side [Mr. CAMPBELL, of South Carolina,] had interrupted him in a former part of his argument, for the purpose of explanation, and had taken that opportunity to enter at large into the

argument, he [Mr. C.] had forced upon him (Mr. A.) this discussion; he had plainly made the issue intimated by his colleagues at former periods of the discussion, and had been answered as well as the occasion permitted. More, much more, might have been said, and would be said, perhaps, at another time, by himself, and others much more able than himself to do it with effect, in reply to the philosophical argument of the gentleman from South Carolina, [Mr. CAMPBELL,] that slavery was not a political or moral evil. Mr. A. hoped that that question would be discussed. But it should not be, by himself, at that time. There were arguments enough against the annexation of Texas to this Union without that. One thing he would, however, add. He would beg gentlemen, whenever this issue should be deliberately tried, now or hereafter, not to consider this question of slavery in its connexion with Texas as a question simply whether a new slave State shall be added to the Union, but whether a foreign State, in which slavery, having once been abolished, was reinstituted, and by law made a permanent institution forever, and in which laws had been enacted that slaveholders should not, if they would, emancipate their slaves, should be received as a member of this Union. This was a very different question from the other. Texas had been a free province, by the absolute decree of the Mexican Government, to which it belonged; entirely free; and they who had made the law which reinstituted slavery there, had usurped a power which did not belong to them in so doing. Where they got that power he hoped the gentleman from South Carolina [Mr. CAMPBELL] would show, when he should come to argue this question.

[Here the hour expired, and Mr. ADAMS suspended his remarks.]

#### THURSDAY, JULY 5, 1838.

The report of the Committee on Foreign Affairs in relation to Texas being again under consideration as the unfinished business of the morning hour—

Mr. ADAMS resumed. I was saying yesterday, when cut short by the expiration of the hour, that it was not my wish to introduce the general discussion of the subject of slavery, either as it exists in this country or in Texas; and that, so far as I had introduced it, it had been forced upon me. It is still my intention to keep aloof from that subject at the present time, having no doubt that it will hereafter be discussed as it ought to be, and as it ought to have been for these last three years, with that freedom of speech which belongs to every member of this House. I do not wish that it should be discussed prematurely; much less is it my desire to repress any thing that the gentleman from Maryland and the other gentlemen of the Committee on Foreign Affairs may wish to say for themselves, for slavery, or for the annexation of Texas to this Union; and that for a very good reason: I believe that what they shall say will go further to promote the cause I wish to advance than all I can urge in its favor. As to the consumption of time, the chairman of the committee is not the man to urge here any objection or complaint on that score, when he has been shutting my mouth on this subject for these three years past.

Mr. HOWARD here interposed, and said that he had not desired to stop the honorable gentleman.

Mr. ADAMS. I object to his now interrupting me.

Mr. HOWARD said the gentleman misunderstood what he had said before. He had objected to other gentlemen interrupting Mr. A., because he wished him to go on with his speech, and to finish it.

Mr. ADAMS. Yes ; and you said, " the gentleman from Massachusetts SHALL not occupy the time so as to exclude the members of the committee and the friends of annexation from an opportunity of reply." Sir, I say such language comes with an ill grace from one who has succeeded in stopping my mouth, and the mouths of all who think with me, on this subject of Texas, for these three years past. Now he comes forward, at the last hour of the session, and complains of my occupying the time of the House with this discussion. Sir, I should not have occupied one fourth part of the time I have, had they not interrupted me every day and every hour. And as to the consumption of time, of which he makes so much complaint, where is the day on which that clock was suffered to indicate five seconds after the expiration of the hour, that I have not instantly been cut short by a demand for the orders of the day ?

[The CHAIR here reminded Mr. A. that he must proceed with the subject now before the House.]

Well, sir, I will proceed in the discussion of the subject before the House. I said it had been my desire to avoid the discussion of the subject of slavery, as connected with the annexation of Texas to the Union ; but it was not possible for me to avoid the suggestion in this House, that the main and only plausible ground alleged in the resolutions of those State Legislatures, who are desirous for the annexation, is the principle that the admission of that country will powerfully tend to perpetuate and strengthen the slaveholding interest in these States. That is the ground they take ; they apprize us of it, that we may be ready to vote in behalf of the measure. The same doctrine has been openly maintained elsewhere in this Capitol ; and undoubtedly that is the ground which will be taken here by the gentlemen from South Carolina. They have no other ground to take. The annexation is demanded expressly because it will strengthen the slaveholding interest, and perpetuate the *blessing* of that " peculiar institution" which distinguishes the Southern portion of this Union. That is the ground assumed in the preamble to the resolutions of the State of Alabama ; and they impute to me a fraudulent transaction ; as having been perpetrated with a view to counteract the slaveholding interest of the South.

So great has been the degree of indulgence and liberality with which I have been treated by the majority of this House, that I have been obliged to recur to what I can find of a report of a committee of the House of Representatives of the State of Mississippi to that body, for which I have so long been calling, but which has been refused to me. The Plenipotentiary of the Texian Government, Mr. Memucan Hunt, in his note to the Secretary of State of the United States, of the 12th of September, 1837, had invited his attention to a certain report made by a committee to the Legislature of Mississippi. I have referred to it before ; but I beg leave to read again that portion of General Hunt's letter to Mr. Forsyth. He says :

" In addition to the fact that this Government, when administered by the sage of the Hermitage, proposed the acquisition of Texas by purchase from Mexico, many years before the recognition of her independence by Spain, the undersigned most respectful-

ly invites the attention of the honorable the Secretary of State to the report of the House of Representatives of the State of Mississippi, contained in a newspaper which he herewith presents. That report, which is said to have been adopted unanimously, alludes in strong terms to the subject of the right of this Government to admit Texas into its confederacy; and the undersigned refers to it thus particularly, that he may be sustained by high authority, when he assures the Secretary of State of the United States that, in submitting the proposition of annexation, it was far from his intention to ask the Government of the United States to accede to a measure which Mr. Forsyth was instructed to say was believed to involve unjust principles. The undersigned assures the Secretary of State of the United States that he could not knowingly consent to be the medium of presenting any proposition asking of the United States a disregard of just principles."

There the Plenipotentiary sends to Mr. Forsyth a paper to which he invites his attention. In the communication received from the Executive, in answer to a call for the papers on this subject, that paper was not included. And it is one more instance of that system of suppression of which I have so long complained, and of which I shall complain yet more. It is a paper of great importance. Why was it not sent? It contained the sanction of the chief argument of the Texian Minister by the unanimous act of one branch of the Legislature of a State. I have not been able to obtain it. I have repeatedly asked leave to introduce a resolution calling for its production, but the House, by that same majority which has uniformly sustained the system of suppression which has prevailed for the last three years, refused me the common every-day privilege of calling for a paper. The first time I wished to offer the resolution, I believe it was not strictly in order, although by courtesy the same thing had frequently been granted to others. But no; objection was instantly made, and leave was refused me. I then offered the resolution again at a time when it was in order, viz: on the day set apart for the express purpose of receiving resolutions. The Speaker then said that under the rule the resolution must lie over for one day, unless the House would consider it then. This the House refused, and that *one day* will last beyond the close of our present session. Thus, I was not permitted to call for an important document that ought, without any special call, to have been communicated along with the rest on the same subject which accompanied the Secretary's report.

But I happen to have, in a publication which I now hold in my hand, a portion of that report of the Legislature of Mississippi, which it was my desire to procure by a call. I will read it to the House, in order to show the grounds on which this annexation is desired, and that the true object in view, from the beginning, has been to support and strengthen the slaveholding interest in opposition to the views, and as a counterpoise to the influence, of the non-slaveholding States of the North:

"Mr. Phillips, of Madison, from the committee to whom was referred the memorial of sundry citizens of the county of Hinds, requesting the Legislature to memorialize Congress in relation to the expediency of receiving Texas into the Union, made the following report thereon, to wit:

"Mr. Speaker: the select committee to whom were referred the memorial and resolutions of sundry citizens of Hinds county, requesting the Legislature to memorialize the Congress of the United States, in relation to the expediency and necessity of receiving Texas into the Union without delay, and desiring that the Representatives of this State in Congress, and the Senators, be instructed to vote for the same, have had the same under consideration; and having given to this highly important subject as much time as the limited time would permit, and having duly con-

sidered the many important circumstances connected with this subject, have instructed me to make the following report as the result of their deliberations:

"That their decided conviction is, that the speedy annexation of Texas to this Republic is a measure highly advisable in a national point of view, and of most imperious necessity to the future safety and happiness of the Southern States of this Confederacy; and they feel fully assured that every consideration will most completely sanction and justify this important measure."

"But we hasten to suggest the importance of the annexation of Texas to this Republic upon grounds somewhat local in their complexion, but of an import infinitely grave and interesting to the People who inhabit the Southern portion of this Confederacy, where it is known that a species of domestic slavery is tolerated and protected by law, whose existence is prohibited by the legal regulations of other States of this Confederacy; which system of slavery is held by all who are familiarly acquainted with its practical effects to be of highly beneficial influence to the country within whose limits it is permitted to exist.

"The committee feel authorized to say that this system is cherished by our constituents as the very palladium of their prosperity and happiness; and whatever ignorant fanatics may elsewhere conjecture, the committee are fully assured, upon the most diligent observation and reflection on the subject, that the South does not possess within her limits a blessing with which the affections of her People are so closely entwined and so completely infixed, and whose value is more highly appreciated than that which we are now considering."

"It may not be improper here to remark, that during the last session of Congress, when a Senator from Mississippi proposed the acknowledgment of Texian independence, it was found, with very few exceptions, the members of that body were ready to take ground upon it, as upon the subject of slavery itself.

"With all these facts before us, we do not hesitate in believing that these feelings influenced the New England Senators, but one voting in favor of the measure; and, indeed, Mr. Webster has been bold enough, in a public speech delivered recently in New York to many thousand citizens, to declare that the reason that influenced his opposition was his abhorrence to slavery in the South, and that it might, in the event of its recognition, become a slaveholding State. He also spoke of the efforts making in favor of abolition; and that, being predicated upon and aided by the powerful influence of religious feeling, it would become irresistible and overwhelming.

"This language, coming from so distinguished an individual as Mr. Webster, so familiar with the feelings of the North, and entertaining so high a respect for public sentiment in New England, speaks so plainly the voice of the North as not to be misunderstood."

Observe, this is the Legislature of Mississippi assigning reasons why Texas ought to be annexed to this Union:

"We sincerely hope there is enough good sense and genuine love of country among our fellow-countrymen of the Northern States to secure us final justice on this subject; yet we cannot consider it safe or expedient for the People of the South to entirely disregard the efforts of the fanatics, and the opinions of such men as Mr. Webster, and others who countenance such dangerous doctrines. This unholy crusade has not only a potent band of moral agitators in our own country, but they are encouraged and stimulated to action by a hypocritical fraternity of polar philanthropists across the Atlantic, headed by the recreant and purchased champion of Ireland's wrongs, whose eyes have ceased to weep over the notorious griefs of his own countrymen, that they may more conveniently distil the tears of briny sympathy over the fancied ills which appertain to a foreign land. It is true that the President, in his inaugural address, has taken a decided stand in favor of the rights of the South; but this affords us a very precarious safeguard against the tide of fanaticism which is rapidly setting against us. The time is rapidly approximating when our Northern territory, which is fast populating, will claim admission into the Union, and when those who now avow the opinion openly that the crusade that has been commenced against slavery in the South is instigated and sustained by religious feeling, will be able to give us more serious annoyance than we have heretofore experienced.

"The Northern States have no interests of their own which require any special



safeguards for their defence, save only their domestic manufactures; and God knows they have already received protection from Government on a most liberal scale; under which encouragement they have improved and flourished beyond example. *The South has very peculiar interests to preserve—interests already violently assailed and boldly threatened.*

*“Your committee are fully persuaded that this protection to her best interest will be afforded by the annexation of Texas; an EQUIPOISE of influence in the halls of Congress will be secured, which will furnish us a permanent guarantee of protection.”*

Thus much to show what are the real grounds on which the admission of Texas is unanimously desired by the whole Southern portion of this Union. This is the common sentiment at the South. It is avowed. This thing was not done in a corner. It was done openly. We do not charge gentlemen of the South with any concealment or duplicity in the matter. This policy, on the contrary, is openly avowed to the world by those who are so anxiously seeking to bring Texas into the Union. But then the question very naturally occurs to me, if these are the feelings, the motives, and the principles, moral and political, on which the People of that portion of the Union desire this annexation, what must be the feelings, motives, and principles, moral and political, of those portions of the Union against whose interests and influence this measure is confessedly directed? Sir, they have been sufficiently disclosed in the resolutions adopted and sent to this body by the Legislatures of Vermont, of Rhode Island, of Massachusetts, of Ohio, of Michigan, and by the proceedings in the Legislatures of New York and Pennsylvania; and it is against the principles and the earnest wishes of these States and these Legislatures, expressed in resolutions adopted almost unanimously, that the doors of this hall have been closed; the House has refused to permit even the reading of the resolutions themselves; and the committee to whom they were referred for consideration, return them on your hands, declaring that they have not looked into one of them.

It is with reference to this point alone that I have touched at all upon the subject of slavery. I do not now enter on the moral question; sufficient unto the day will be the good thereof, when the question shall be fully opened, and shall be taken up at such a stage of the session as to admit of its receiving a full and fair discussion. I have referred to it now only to show that the intense interest felt in regard to the admission of Texas, in both portions of the United States, rests entirely on that pivot. The true motive of desiring it on the one hand, and of opposing it on the other, is to be found in its bearing on the subject of slavery. I say that, if the intention of the House was to calm the agitation of the country, and to conciliate the feelings on all sides, they ought to have considered the subject, and reported fully and impartially upon it. The committee should have reported such an argument as might have gone into all parts of the United States. They ought to have shown that the rejection of this proposal of annexation, the immediate, decided, unqualified rejection of it, is indispensable to the peace and welfare of this country. That would have tended, more than all other things, to pacify the feelings and quiet the agitation of all parts of this republic on a question which now so divides them.

But I now pass to another topic. I refer now to the manner in which our relations with Mexico, have been, now are, and will hereafter be, affected by the agitation of this question in the United States.

In the answer of Mr. Forsyth to the proposals of the Texian Minister Plenipotentiary, in declining, for the time, the proposal of annexation, he says:

"The question of the *annexation* of a foreign independent State to the United States has never before been presented to this Government. Since the adoption of their Constitution, two large additions have been made to the domain originally claimed by the United States. In acquiring them, this Government was not actuated by a mere thirst for sway over a broader space. Paramount interests of many members of the Confederacy, and the permanent well-being of all, imperatively urged upon this Government the necessity of an extension of its jurisdiction over Louisiana and Florida. As peace, however, was our cherished policy, never to be departed from unless honor should be periled by adhering to it, we patiently endured, for a time, serious inconveniences and privations, and sought a transfer of those regions by negotiations and not by conquest.

"The issue of those negotiations was a conditional cession of these countries to the United States. The circumstance, however, of their being colonial possessions of France and Spain, and therefore dependent on the Metropolitan Governments, renders those transactions materially different from that which would be presented by the question of the annexation of Texas. The latter is a State with an independent Government, acknowledged as such by the United States, and claiming a territory beyond, though bordering on the region ceded by France in the treaty of the 30th of April, 1803. Whether the Constitution of the United States contemplated the annexation of such a State, and, if so, in what manner that object is to be effected, are questions, in the opinion of the President, it would be inexpedient, under existing circumstances to agitate.

"So long as Texas shall remain at war, while the United States are at peace with her adversary, the proposition of the Texian Minister Plenipotentiary necessarily involves the question of war with that adversary. The United States are bound to Mexico by a treaty of amity and commerce, which will be scrupulously observed on their part, so long as it can be reasonably hoped that Mexico will perform her duties and respect our rights under it. The United States might justly be suspected of a disregard of the friendly purposes of the compact, if the overture of General Hunt were to be even reserved for future consideration, as this would imply a disposition on our part to espouse the quarrel of Texas with Mexico; a disposition wholly at variance with the spirit of the treaty, with the uniform policy, and the obvious welfare of the United States."

Here the matter is put in the form of a question, which implies doubt whether a foreign independent State can, under the Constitution, be annexed by Congress to the United States. And he takes the express position that so long as Mexico and Texas remain at war, the admission of the latter is impossible without a violation of treaty.

This brings us to the subject of our relations with Mexico. The Secretary says, these are relations of good faith; that there are treaty stipulations between us and Mexico, and that we cannot consent to receive Texas into the Union without a violation of them. Now, I wish to bring the House to the consideration of that which, though I fully believe it to be true, I may not be allowed to prove, unless I first put the proposition in a contingent form. I say, then, that though we remain, formally and legally, at peace with Mexico, yet, if a system of deep duplicity worthy of Tiberius Cæsar, or Ferdinand of Arragon, had been the policy of this and of the last Administration in regard to her, it could not have been exceeded by that line of conduct which actually has been pursued towards that Republic. I put the position that a system of the deepest duplicity has been pursued by the Administration ever since the 4th of March, 1829, to this day, or at least till yesterday, when the chairman of the Committee on Foreign Affairs prevailed on this House

to suppress the publication of a mass of most important documents sent here as an accompaniment to a message from the President of the United States; and I say, further, that that system of duplicity has had for its object the breeding of a war with Mexico, in order that under the cover of such a war we might accomplish the annexation of the province of Texas to this Union. The proofs of this are to be found in a great volume of documents, the greater portion of them in manuscript, received only yesterday, in answer to a call made four or five months ago. These important papers are now presented in the last days of a very long session, when, even if they were printed, there is not time left for the members of this House to possess themselves of what they contain. And now, while an investigation of the whole subject is called for, the chairman of the Committee on Foreign Affairs gets up and proposes to suppress them.

[Mr. HOWARD. I did not propose any such thing.]

I say he did; and I refer to the Journal to prove it. He did propose to refuse the printing of the documents as a whole, but wanted the appointment of a committee to garble them, and present to the House an incomplete transcript: and this is all consistent. If gentlemen will look at the calendar on the Speaker's table, they will find that, as long ago as the 19th of February, I offered here four resolutions, as follows:

*“Resolved, That the just claims of citizens of the United States upon the Government of the Mexican Republic, for indemnity for injuries upon their persons or property, committed by officers or other persons subject to the jurisdiction of the Mexican confederation, ought not to be sacrificed or abandoned by the Government of the United States.*

*“Resolved, That the existing relations between these United States and the Mexican Republic cannot justify the United States, on any principle of international law, in resorting to any measure of hostility against the Mexican Government or People.*

*“Resolved, That in the present state of the relations between these United States and Mexico, nothing has occurred which can justify the continued suspension of amicable negotiations between them.*

*“Resolved, That the President of the United States be requested to resume amicable negotiations with the Government of the Mexican confederation.”*

Five months ago these resolutions were offered to the House, and they are yet waiting to be taken up for consideration. And what did the committee do? Sir, they have not reported on the part of the President's annual message upon our relations with Mexico yet. Last week a gentleman from Pennsylvania [Mr. BIDDLE] called on the chairman, and requested, as a matter of courtesy, to know whether it was the intention of the committee to report on those resolutions? The chairman (with a reserve for his dignity, and denying the right of any member to question him) graciously condescended to reply, that it was. The committee, then, intend to report. But when? And what discussion can be had within the three remaining days of this session? Yet this House have had those resolutions before them ever since the 19th of February! Resolutions in support of the claims of citizens of the United States. They have never looked, I presume, into any one of the papers referred to. They report on every thing without looking into it. [A laugh.]

Sir, this is but an incident in that general system of duplicity on this subject which I have denounced to the world. The system was commenced pretty early. The revolution in Texas constituted one essential part of it. At the time when the independence of Mexico had been acknowledged by this country, negotiations were instituted between this

Government and that of Mexico as to the boundary line between the two Territories. Even before the formal acknowledgment of independence, a statement had been made here by the representative of another South American State of a proposition by Mexico to adopt and conform to the boundary line established by the treaty of 1819. The first Minister of the United States to Mexico was authorized to agree to that proposition, and commissioners were appointed to trace out the line, commencing at the mouth of the Sabine, and running across the continent to the South Sea. This was the line agreed upon in our treaty with Spain, to which Mexico had agreed to conform. But there were a certain portion of the population of the United States who had been desirous of including within the line, on our side of it, the country between the Sabine and the Rio del Norte; and to accommodate them (Texas then being a free State) the Minister of the United States was authorized to propose a new line, extending to the Brassos, to the Colorado, or to the Rio del Norte, as the disposition of Mexico might assent.

But, from the first moment that suggestion was made, a strong degree of suspicion and jealousy sprang up on the part of Mexico, that there was a purpose, on the part of the United States, to obtain this portion of her territory against her will. They did not, indeed, meet the proposition with an absolute denial; but proposed the appointment of commissioners to find out what would have been the line under the treaty negotiated by Thomas Pinckney with Spain, in 1795, which line would have been found to be the river Mississippi. In the most friendly manner the Mexican Secretary of State expressed the opinion that this line should first be ascertained.

[Here the morning hour expired.]

Mr. ADAMS expressed regret that the hour should have elapsed at so interesting a point of the discussion, and said he did not wish to occupy much more time.

Mr. ELMORE moved to suspend the rules, and allow Mr. A. to proceed, and conclude his speech.

Mr. DROMGOOLE inquired whether the gentleman from South Carolina meant that the suspension should end with Mr. ADAMS's speech, so as to preclude the opportunity of reply? If such an arrangement should take place, it would be gross injustice.

Mr. ELMORE said he had relied on the assurance of the gentleman from Massachusetts that he should not occupy much more time.

Mr. ADAMS protested against the idea that by the suspension he was to be limited as to time in concluding his remarks.

Mr. ELMORE's motion to suspend was thereupon rejected.

FRIDAY, JULY 6, 1838.

Mr. ADAMS said that, at the expiration of the morning hour the day before, he had been discussing the conduct of this Government towards Mexico from the commencement of the last Administration to the present time; and was laying down the position that that conduct would have been the very same had the object been to practise a systematic course of fraudulent policy towards that Government; worthy of a Tiberius Cæsar or Ferdinand of Arragon. In order to expose that fraud most fully to the country, which has a right to know and to understand it

aright, the printing of the voluminous documents that had accompanied the message of the President on the subject of our Mexican relations, and which lie on the table, would be necessary. But it had been refused by a vote of the House.\* Still Mr. A. presumed that this would not inhibit him from using those papers as matters of reference; and between this time and the next session of Congress, (when this part of the subject, he hoped, would be freely and fully discussed,) he should prepare himself to prove the assertion he had made with regard to the conduct of the Government towards Mexico, by the evidence which such a reference would afford. At present, he should merely touch upon this part of the subject in a general way.

He had stated, the day before, that, before the United States acknowledged the independence of the Mexican Republic, a proposal was made by them to the Government of the United States, through the agency of Mr. Torrens, then *Chargé d'Affaires* from the Republic of Colombia, the independence of which had been previously recognised by Mr. Monroe, that "the limits between the two countries be fixed according to the 3d article of the treaty of Washington, of the 22d of February, 1819, between the United States and Spain, drawing the line and establishing the landmarks, by commissioners appointed by both Governments, in the same manner as was provided by the 4th article of the said treaty." The note of Mr. Torrens containing this proposal, dated the 15th of February, 1824, is among the papers communicated to this House at the special session of Congress, last October, in the document No. 42. Whether any immediate answer was given to the note of Mr. Torrens does not appear in the document, and is not within my recollection. The answer to the note, if any was given, may be among the voluminous mass of papers just now communicated, and lying on the table, or it may be among the archives of the Department of State.

It would be recollected by members of that House that, on account of impending difficulties, there had not been an American Minister to Mexico for two or three years after the acknowledgment of the independence of that Republic. Two attempts were made to make such an appointment; neither of which was successful. The first person selected to fill that station was General Andrew Jackson, who did not accept the appointment. The second was Ninian Edwards, who accepted it, but was prevented, by circumstances within the memory of us all, from entering upon the discharge of its duties. A year or more elapsed, after the note of Mr. Torrens, and there was yet no Minister to Mexico. At length Mr. Poinsett was sent thither. Among the documents laid upon the tables of members of that House, there was a letter of instructions from the Secretary of State, dated March 26, 1825, to Mr. Poinsett, containing a reference to this question of the boundary line between the United States and Mexico. It begins with a copy of the treaty defining that line, and

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\* Afterwards, that vote was reconsidered, on motion of Mr. ROBERTSON, of Virginia, and a committee of three were appointed, of which he was the chairman, to select such portions of the documents as, in their judgment, it was expedient to have printed; and the report of that committee, recommending the printing of certain of the papers, &c., in question, was subsequently adopted by the House, and the printing ordered accordingly.—*Reporter*.

says that that part of the treaty remained to be executed, after the recognition of Mexican independence. And in the same letter there was the following paragraph :

"Some difficulties may possibly hereafter arise between the two countries from the line thus agreed upon, against which it would be desirable now to guard, if practicable; and as the Government of Mexico may be supposed not to have any disinclination to the fixation of a new line, which would prevent those difficulties, the President wishes you to sound it on that subject, and to avail yourself of a favorable disposition, if you should find it, to effect that object. The line of the Sabine approaches our great Western mart nearer than could be wished. Perhaps the Mexican Government may not be unwilling to establish that of the Rio Brascos de Dios, or the Rio Colorado, or the Snow mountains, or the Rio del Norte, in lieu of it. By the agreed line, portions of both the Red river and branches of the Arkansas are thrown on the Mexican side, and the navigation of both those rivers, as well as that of the Sabine, is made common to the respective inhabitants of the two countries. When the countries adjacent to those waters shall come to be thickly inhabited, collisions and misunderstandings may arise from the community thus established, in the use of their navigation, which it would be well now to prevent. If the line were so altered as to throw altogether on one side Red river and Arkansas, and their respective tributary streams, and the line on the Sabine were removed further west, all causes of future collision would be prevented. The Government of Mexico may have a motive for such an alteration of the line as is here proposed, in the fact that it would have the effect of placing the city of Mexico nearer the centre of its territories. If the line were so changed, the greater part, if not the whole, of the powerful, warlike, and turbulent Indian nation of the Camanches would be thrown on the side of the United States; and as an equivalent for the proposed cession of territory, they would stipulate to restrain, as far as practicable, the Camanches from committing hostilities and depredations upon the territories and people, whether Indians, or otherwise, of Mexico."

Then followed an argument to show the expediency and propriety of this line, and the passage thus concludes :

"But if you shall find that the Mexican Government is unwilling to alter the agreed line in the manner proposed, and that it insists upon the execution of the third and fourth articles of the treaty before mentioned, you are authorized to agree to the recognition and establishment of the line as described in the third article, and to the demarcation of it forthwith, as is stipulated in the fourth."

Of course the Minister was instructed upon the supposition that the Government of Mexico would be willing to alter the line, to propose a new one, varying two degrees from that of the Sabine, established by the treaty with Spain. But, if she were not willing to accede to this, he was instructed to propose commissioners to make a survey, with a view to establishing a line. This proposition, as had been stated the day before, was found to be exceedingly disagreeable to the Mexican Government. Yet, at a still later period, (1827,) a new proposition, still more specific and particular, to the same effect, was made by this Government to Mexico. In the instructions from the Department of State it was said :

"The great extent and the facility which appears to have attended the procurement of grants from the Government of the United Mexican States, for large tracts of country to citizens of the United States, in the province of Texas, authorize the belief that but little value is placed upon the possession of the province by that Government. These grants seem to have been made without any sort of equivalent, judging according to our opinions of the value of land. They have been made to, and apparently in contemplation of being settled by, citizens from the United States. These emigrants will carry with them our principles of law, liberty, and religion; and however much it may be hoped they might be disposed to amalgamate with the ancient inhabitants of

Mexico, so far as political freedom is concerned, it would be almost too much to expect that all collisions would be avoided on other subjects. Already some of these collisions have manifested themselves, and others, in the progress of time, may be anticipated with confidence. These collisions may insensibly enlist the sympathies and feelings of the two Republics, and lead to misunderstandings."

Then there was a further argument proposing an alteration of the line :

"The boundary which we prefer is that which, beginning at the mouth of the Rio del Norte in the sea, shall ascend that river to the mouth of the Rio Puerco ; thence, ascending this river to its source, and from its source, by a line due north, to strike the Arkansas ; thence, following the course of the southern bank of the Arkansas, to its source, in latitude 42 degrees north ; and thence, by that parallel of latitude to the South Sea. The boundary thus described would, according to the United States Tanner's map, published in the United States, leave Santa Fe within the limits of Mexico, and the whole of Red river, or Rio Roxo and the Arkansas, as far up as it is probably navigable, within the limits assigned to the United States. If that boundary be unattainable, we would, as the next most desirable, agree to that of the Colorado, beginning at its mouth, in the bay of Bernardo, and ascending the river to its source ; and thence, by a line due north, to the Arkansas ; and thence, as above traced, to the South Sea. This latter boundary would probably also give us the whole of the Red river, would throw us somewhat further from Santa Fe, but it would strike Arkansas possibly at a navigable point. To obtain the first-described boundary, the President authorizes you to offer to the Government of Mexico a sum not exceeding one million of dollars. If you find it impracticable to procure that line, you are then authorized to offer, for the above line of the Colorado, the sum of five hundred thousand dollars."

Now, these two propositions were made when Texas was free, slavery having been abolished by law in that province ; and Mr. A. said that he referred to them at this time, because there had then already been grants of land made to citizens of the United States in that province, laying the foundation of that spirit lately and at present so manifest in this country, of grasping at that territory. He had said that this proposition of altering the boundary between this country and Mexico was highly disagreeable to the latter. The Minister from this Government had been authorized to make a treaty of commerce as well as of limits. He says :

"I waited on the Secretary of State, by appointment, on the morning of the 12th instant, in order to discuss the manner of conducting the negotiations for the treaties of commerce and of limits between the two nations. It was agreed to treat the two subjects separately."

"With respect to the treaty of limits, I suggested that, although the Government of the United States held itself bound to carry into effect the treaty of limits concluded with the King of Spain, 22d of February, 1819, still it would appear more becoming the independent character of this [Mexican] Government to lay aside that treaty altogether, and to endeavor to establish a boundary which would be more easily defined, and which might be mutually more advantageous. The Secretary expressed himself much gratified by such a suggestion, and proposed that the two Governments should forthwith appoint commissioners to make a reconnoissance of the country bordering on the line formerly settled with Spain, so as to obtain such information in regard to that portion of our respective territories as would enable us to act understandingly on the subject."

There was the proposition. The Minister proposed that the commissioners should be appointed to trace the line, under the treaty of 1795, "so as to enable us to act understandingly," &c. He continues :

"I objected to this proposal the limited powers of the President of the United States, and that such an appointment could not well be made until the next meeting of Congress. He replied that his Government would be very averse permanently to fix the limits between the two nations on the very slender information they at present possessed of that frontier country."

There is the first answer to the first proposition; and it required no great depth to understand the feelings with which that proposition was regarded by Mexico. The letter proceeds:

"After some further conversation on the subject, it was agreed that he should address me a note, stating the views of this [Mexican] Government in relation to the proposed convention of limits. This has not yet been received."

Well, (continued Mr. A.) then follows the note of the 20th of July, 1825, in which the Mexican Secretary of State distinctly proposes that the two subjects of negotiation be treated separately, and without reference to one another.

"We might then, if your excellency thought proper, and this is the opinion of the President, proceed immediately to negotiate the treaty of commerce, leaving on one side the point of limits; and that we might negotiate on this subject, the two Governments might name their commissioners, who, on examining together the country within a given latitude, from one sea to the other, might present exact information, upon which the limits might be established, as is desired."

To this Mr. Poinsett objects, as he had done before. Then follows a letter dated in March, 1826, and written by Mr. Poinsett to Mr. Clay, nine months afterwards:

"By the colonization law passed in August, 1824, the General Government reserved twenty leagues of land from the frontiers of neighboring nations, and ten leagues from the sea shore, which cannot be granted by the States except with the previous consent of the Executive. Having learnt that the President had given his consent to a grant of land made by the State of Coahuila and Texas, of a tract situated within that limit, on the Red river, I called this morning at the office of the Secretary of State, and told Espinosa that I should not consider any grant as valid that was made while the negotiations were pending, in the event of that portion of country being included by the treaty within the limits of the United States. He admitted that the objection was proper, and engaged to write to the State of Texas on the subject."

Here Mr. Poinsett undertakes to protest against grants of land, on the ground that the territory in question may be annexed to the United States. On the 18th of March, a few months after this, he says:

"This Government has appointed General Teran to examine the country near our respective frontiers, and to obtain such information as will enable them to treat upon that subject understandingly."

The Government of Mexico at this time felt so deep an interest in this matter of the boundary, that, without waiting for the treaty, they undertook, by their own authority, to trace the line. This was analogous to a proceeding at home, to a question now pending, and which Mr. A. wished were settled, as indeed it must be, one way or another, before long; and it was now a question whether Maine should not do as Mexico had in this instance done, and run her own boundary line, without reference to the wishes or action of Great Britain.

At a later period, (continued Mr. ADAMS,) Mr. Poinsett says, under date of the 6th of October, 1827:

"The only act passed by the Congress, since the commencement of their session, of any importance, is the appropriation of fifteen thousand dollars towards defraying the expenses of the commissioner, General Teran, appointed by this Government to examine and report upon the country which lies near and upon the boundary between the United States and Mexico, agreeably to the views of this Government, as expressed in their communication of the — of August, 1825. The commission has not set out on this expedition for want of funds, Congress having appropriated what the Treasury does not at this moment contain. In private conversations with the President and



Secretaries, I have sought to convince them of the uselessness of this expedition until the treaty of limits is definitively settled. They say, in reply, that the public is so anxious to have that question settled, that they think it politic so to act at present, and assure me of their earnest desire to adjust that delicate point as soon as possible."

There is a subsequent document in which there is a formal acknowledgment that the Republic of Mexico possessed the right separately to draw this line.

On the 19th of March, 1828, Mr. Obregon, Minister Plenipotentiary from Mexico to the United States, informed their Secretary of State, Mr. Clay, that the Mexican Government had appointed General Teran to perform (separately) the scientific operations and surveys necessary to proceed in the execution of the treaty of limits. To this notification Mr. Clay answered on the 24th of March; and in that answer says:

"The treaty to which you are understood to refer, lately concluded at Mexico, has not yet been received, and consequently is not yet ratified by this Government. Any joint measures, therefore, in relation to its execution, would be premature until that ceremony is performed. But as the operations and surveys contemplated by General Teran's appointment are presumed to be intended for the satisfaction of the Government of the United States of Mexico, the President has no objection to them. I have therefore the pleasure of transmitting the passport requested from this office, which, although it may not be necessary to the security of General Teran and his suite, may conduce to the removal of any obstructions which, without it, he might possibly encounter."

In order to show the interest which the Government of Mexico attached to this subject at the time, Mr. A. referred to another letter of Mr. Poinsett to Mr. Clay, in which the former said:

"The Mexican Chamber of Deputies passed a resolution, when the treaty was formerly before them, on which, I understand, they will insist. It is in these words, viz: 'This Chamber will not take into consideration the treaty which the Government has concluded with that of the United States of America, until an article shall be inserted in it recognising the validity of that which was celebrated by the cabinet of Madrid, in the year 1819, with the Government of Washington, respecting the limits of the territories of the two contracting parties.'

"The Plenipotentiaries, in reply to all my observations on the subject, and to my proposals to alter the limits, insisted that Mexico had a right to consider that treaty binding upon the United States, as being invested with all the rights of Spain, and bound by all the obligations of the mother country. They instanced the cession made by Spain to Great Britain of certain rights in the Bay of Honduras, which, however inconvenient to the Mexican Government, it had nevertheless felt itself bound to ratify; and, in short, declared that if I did not consent to comply with the resolution of the Chamber of Deputies, it would be useless to discuss the other articles of the treaty, as it was certain that Congress would not ratify any treaty which did not contain such a provision."

The treaty of commerce laid before the Legislature of Mexico for their assent was not taken into consideration, on the ground that the question of limits was not yet settled. A protocol of conference to conclude a treaty of limits was then issued, in which allusion was made to the resolution of the Chamber of Deputies on the subject, and which resolution was as follows:

"The Plenipotentiaries of Mexico read the resolution of the Chamber of Deputies, which is in the following words, viz:

"'This House will not take into consideration the treaty which the Government has concluded with the United States of America so long as it does not contain an article which shall renew the existence of the treaty celebrated by the cabinet of Madrid in the year 1819, with that of Washington, respecting the territorial limits of the two contracting parties.'

"This resolution was passed on the 2d of April, 1827, and the treaty was accordingly sent back to the President of the United Mexican States.

"The Plenipotentiaries observed that this resolution rendered it imperative upon the Executive first to settle this important question; and, from the tenor of the note addressed to them by the Plenipotentiary of the United States, they presumed he could have no objection to regard the above-mentioned treaty as in full force and binding upon the United States."

And the protocol proceeds to say:

"The Plenipotentiary of the United States replied that, although the limits, as settled by the treaty of Washington, were liable to some objections, and might be altered advantageously for both the contracting parties, as he had before frequently explained, still, if the Government of Mexico insisted upon the execution of the third and fourth articles of that treaty, he could not object to it.

"The Mexican Plenipotentiaries said that their Government had invariably acted upon the principle that Mexico was bound to respect the treaties of the Spanish monarchy prior to the declaration of her independence; as, for instance, Great Britain had acquired rights from Spain within the territory of Mexico, (in the Bay of Honduras,) which, however inconvenient to this Government, it was proposed not to disturb, and had acknowledged the existence of those rights in the recent treaty with that Power.

"The Plenipotentiary of the United States replied that he did not intend to dispute the validity of a treaty concluded between the United States and Spain at a period when Mexico formed a component part of the Spanish monarchy; and that it was evident from former conferences, and from his note on that subject, that he had never controverted this principle. Any alteration of the treaty of Washington must depend upon the mutual consent of the present contracting parties; but as the Executive and the Chamber of Deputies of Mexico appeared determined to insist upon carrying the third and fourth articles of that treaty into effect, he should no longer object to it."

The protocol of the next conference contained an article to that effect.

Mr. A. said he had referred to all these documents to show the extreme interest felt by the Government of Mexico in this question of boundary:

He now came to a very important and particular instruction from Mr. Van Buren, as Secretary of State, to Mr. Poinsett, in the year 1829. This was a very long letter, and began thus:

"It is the wish of the President that you should, without delay, open a negotiation with the Mexican Government for the purchase of so much of the province of Texas as is hereinafter described, or for such a part thereof as they can be induced to cede to us, if the same be conformable to either of the locations with which you are herewith furnished. The President is aware of the difficulties which may be interposed to the accomplishment of the object in view; but he confidently believes that the views of the matter which it will be in your power to submit, and the pecuniary consideration which you will be authorized to propose, will enable you to effect it. He is induced, by a deep conviction of the real necessity of the proposed acquisition, not only as a guard for our Western frontier, and the protection of New Orleans, but also to secure forever to the inhabitants of the valley of the Mississippi the undisputed and undisturbed possession of the navigation of that river, together with the belief that the present moment is particularly favorable for the purpose, to request your early and unremitting attention to the subject.

"The territory of which a cession is desired by the United States is all that part of the province of Texas which lies east of a line beginning at the Gulf of Mexico, in the centre of the desert or Grand Prairie, which lies west of the Rio Nueces, and is represented to be nearly two hundred miles in width, and to extend north to the mountains. The proposed line following the course of the centre of that desert or prairie, north, to the mountains, dividing the waters of the Rio Grande del Norte from those that run eastward to the Gulf, and until it strikes our present boundary at the 42d degree of north latitude. It is known that the line above described includes the Spanish settlements of La Bahia and San Antonio de Bexar, comprising all the Mexican inhabitants of the province, and this may furnish an objection to so extensive a cession. If, from this circumstance, the objection should be made, and you find the Mexican

Government disposed to cede any portion of the territory in question, you are authorized to agree to any of the following lines, regarding those furthest west as preferable. The second proposed line commences on the western bank of the Rio de la Baca, where it discharges itself into Matagorda Bay, and continuing up that river on the western bank thereof, to the head of its most westerly branch; thence, due north, until the line shall strike the Rio Colorado; and thence, up the Colorado river, on the western bank thereof, to the head of its principal stream; thence, by the most direct course that will intersect our line at the 42d degree of north latitude, and include the head-waters of the Arkansas and Red rivers.

"The third proposal may be a line to commence at the mouth of the Rio Colorado, where that river empties itself into Matagorda Bay, and on the west bank thereof, to continue up that river to the head of its principal stream; and thence by a line drawn from the head of its principal stream so as to intersect our present boundary line at the 42d degree of north latitude, including also the head-waters last mentioned.

"The last proposition may be a line to commence on the Gulf of Mexico, at the mouth of the Rio Brassos de Dios, and on the westerly bank of that river, to pursue the course of that river up to the head of its most westerly branch by the west bank thereof; and from the head of that branch of the river by such a course as will enable us to intersect our present line at the point already indicated."

There was, in this letter, a very long argument in favor of the propositions which Mr. Poinsett was instructed to make to the Mexican Government; and some portions of that argument were worthy the attention of the House. The writer says:

"We are not left altogether to conjecture and speculation as to the results which are to be expected from a contiguity of settlements under such unfavorable circumstances. The experience of the past affords the means of a safe estimate of the future. A spirit of enterprise, and not unfrequently of encroachment, has been exhibited by our citizens who inhabit that frontier, which has been productive of much uneasiness to the Mexican Government, and not without solicitude to this. Most of the grants that have been made in Texas are already in the hands of Americans and Europeans. Notwithstanding the cautious policy evinced by the Mexican Government in the designation of an extensive border territory, within which no grants should be made or settlements permitted, the improvements of the Americans on the Texas side commence from what is regarded as the boundary line, and are scattered over the prohibited territory. Not only has the interdict been thus disregarded by the adventurous spirits who have been attracted thither by the unsettled state of the Mexican Government, but that Government itself has (it is understood) been induced, by a conviction of the impossibility of causing it to be respected, to make grants within its limits. The want of confidence and reciprocal attachment between the Government and the present inhabitants of Texas, (not Spanish,) from whatever cause arising, is too notorious to require elucidation. *It has, in the short space of five years, displayed itself in not less than four revolts, one of them having for its avowed object the independence of the country.* This Government embraced the earliest opportunity to satisfy that of Mexico that the resistance to her lawful authority thus made was without aid or countenance, direct or indirect, from us. The ancient and well-settled policy of the United States in this respect is so well known, and has been so scrupulously adhered to, as to leave no room for apprehension that it can be ever or long misunderstood by other Powers. But still, the recurrence of scenes like these, whilst they furnish the causes of onerous expenses and perpetual inquietude on the part of Mexico, must, in the nature of things, have a tendency to excite at least temporary suspicions of our motives, and produce consequent heart-burnings, hostile to those cordial and friendly relations which should ever be preserved between neighboring States."

Here, by the authority of the head of the very party now proposing to annex this territory, it is admitted that the want of confidence and reciprocal attachment between the Government and inhabitants of Texas "has, in the short space of five years, displayed itself in not less than four revolts, one of them having for its avowed object the independence of the country."

In another part of these instructions (continued Mr. ADAMS) occur the following passages :

"The President does not desire the proposed cession without rendering a just and fair equivalent for it. He therefore authorizes you to offer to the Mexican Government, for a cession according to the first-mentioned boundary, a sum not exceeding four millions of dollars ; and so strong are his convictions of its great value to the United States, that he will not object, if you should find it indispensably necessary, to go as high as five millions. You will, of course, consult the interests of the United States, by obtaining the cession (if it can be obtained at all) upon terms as favorable and for a price as low as practicable, regarding the sum above stated only as the maximum amount to which you are authorized to go. Should you find the Government of Mexico unwilling to part with as large a portion of their territory as would be included in the first-mentioned bounds, but disposed to cede a less quantity, you will, in such case, endeavor to obtain a cession agreeably to some one of the boundaries above described, urging them in the order of preference before stated, and stipulate to pay therefor a sum which, estimating five millions as a fair compensation for the largest extent proposed, would be a proportionate equivalent for that which is ceded."

"I have already stated that the present moment is regarded by us as an auspicious one to secure the cession ; and will now add, that there does not appear to be any reasonable objection to its being embraced, on the score of delicacy, or from an apprehension that, in doing so, we would give offence to the Government of Mexico. Nothing would be more adverse to the feelings of the President than to give that Government reason to believe that he is capable of taking advantage of their necessities to obtain from them any portion of the Mexican territory, the cession of which would impair the true interests or commit the honor of that country."

"The comparatively small value of the territory in question to Mexico ; its remote and disconnected situation ; the unsettled condition of her affairs ; the depressed and languishing state of her finances ; and the still, and at this moment particularly, threatening attitude of Spain, all combine to point out and recommend to Mexico the policy of parting with a portion of her territory of very limited and contingent benefit, to supply herself with the means of defending the residue with the better prospect of success, and with less onerous burdens to her citizens."

In these paragraphs (continued Mr. ADAMS) are proofs abundant of both parts of that duplicity which I have charged against the late Administration in regard to its Mexican policy. This letter of instructions artfully touches upon a series of arguments for the accomplishment of the designs of this Government, while it contains a denial of all intention to take advantage of those arguments for that purpose. In the first place, there is the admission explicitly made that this Government might take advantage of the circumstances alluded to to wrest Texas from Mexico, and then a disavowal of all such intention. Taken together, do they not clearly make out a case of double-dealing on the part of this Government with that of Mexico ? This letter was dated August, 1829. It so happened that, before it could reach our Minister in Mexico, that Minister had become so obnoxious to the Government of that Republic, chiefly on account of the earnestness with which he pressed this odious subject of the boundary, that that Government had sent to ours a demand for his immediate recall. The letter of Mr. Van Buren was dated August, 1829, and was despatched by a person by the name of Butler, who, arriving in Mexico, found that that Government had peremptorily demanded the recall of Mr. Poinsett. For proof of this, I will refer the House to the message of President Jackson at the commencement of the session of 1829-'30 :

"The recent invasion of Mexico, and the effect thereby produced upon her domestic policy, must have a controlling influence upon the great question of South American

emancipation. We have seen the fell spirit of civil dissension rebuked, and, perhaps forever, stifled in that Republic, by the love of independence."

"Deeply interested as we are in the prosperity of our sister Republics, and more particularly in that of our immediate neighbor, it would be most gratifying to me were I permitted to say that the treatment which we have received at her hands has been as universally friendly as the early and constant solicitude manifested by the United States for her success gave us a right to expect. But it becomes my duty to inform you that prejudices, long indulged by a portion of the inhabitants of Mexico against the Envoy Extraordinary and Minister Plenipotentiary of the United States, have had an unfortunate influence upon the affairs of the two countries, and have diminished that usefulness to his own which was justly to be expected from his talents and zeal. To this cause, in a great degree, is to be imputed the failure of several measures equally interesting to both parties; but particularly that of the Mexican Government to ratify a treaty negotiated and concluded in its own capital and under its own eye. Under these circumstances, it appeared expedient to give to Mr. Poinsett the option either to return or not, as, in his judgment, the interest of his country might require; and instructions to that end were prepared; but, before they could be despatched, a communication was received from the Government of Mexico, through its *Chargé d'Affaires* here, requesting the recall of our Minister. This was promptly complied with; and a representative, of a rank corresponding with that of the Mexican diplomatic agent near this Government, was appointed. Our conduct towards that Republic has been uniformly of the most friendly character; and, having thus removed the only alleged obstacle to harmonious intercourse, I cannot but hope that an advantageous change will occur in our affairs."

Mr. Poinsett went home, and Mr. Butler remained as *Chargé d'Affaires* from the United States to Mexico, and the instructions which he bore to Mr. Poinsett were extended to him. As to the circumstances attending the appointment of Mr. Butler to this office, there was no document that he (Mr. A.) knew of that explained them; but he believed that, among the mass of documents which had accompanied the President's message the other day, and which the House had laid on the table, and refused to print,\* enough would be discovered, at least, to raise the suspicion that this same Mr. Butler was himself deeply concerned in speculations in Texas lands. Mr. A. was unwilling to set on foot suspicions to the injury of any one, and he should at this time refrain from saying what he thought was evidence that Mr. Butler was interested in the lands of Texas, and in the revolution which followed soon after he went to Mexico.

One step further, and one year later. Here we have the state of things as they existed in 1829. I will now (said Mr. A.) take the liberty of reading from a letter, written by Dr. Mayo, a confidential officer of the Government at the time, written in 1830, to the President of the United States, in which there was enclosed a cipher,—the cipher, I believe, of the Masonic order,——

Here Mr. BOON rose, and called the orders of the day, alleging that the morning hour had expired.

Mr. HOWARD would make an inquiry. It was now Friday; the House was to adjourn on Monday; in case the gentleman from Massachusetts did not finish his remarks, so as to afford time for a reply at this session, could they be replied to at the next session of Congress?

The CHAIR said that that would be for the House to decide at the proper time.

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\* See note, *ante*, page 106.

Mr. ADAMS remarked that the time of that House was under the control of the gentleman and his friends, and not in his own.

And here the House proceeded to the orders of the day.

SATURDAY, JULY 7, 1838.

Mr. ADAMS. When the hour expired yesterday, I was adducing evidence to show that the conduct of the Executive Administration of this Government toward that of Mexico was marked by duplicity and hostility—by hostility to the extent of a deliberate design of plunging us into a war with that Power, for the purpose of dismembering her territories, and annexing a large portion of them to this Union. This projected war was avowed, openly, sixteen months ago, by the Executive, and was countenanced and supported by a report from the Committee on Foreign Affairs, but not by this House, at that time. The same hostility and the same duplicity have been continued to this day. I stated that, in consequence of the application by this Government for the purchase of Texas, made through the gentleman now at the head of the Department of War—a gentleman of the highest respectability, but who is himself a citizen of one of the slaveholding States most interested in the perpetuation of the system of slavery—the Mexican Government became so dissatisfied with him, then our Minister there, that it had demanded his recall. In the annual message of the President, at the Congress of 1829-'30, it was stated that the recall had been made, and that a *Chargé d'Affaires* had been appointed to that legation in the place of the Minister thus recalled. I referred, among other things, to a very remarkable document, dated 25th August, 1829, drawn up by a gentleman, then Secretary of State, but who has since become the Chief Magistrate of the Union, in which the proposition for the purchase of Texas is renewed, and urged with extraordinary earnestness and very elaborate argument. But I neglected to notice the fact that this letter of instructions was prepared precisely at the time that a Spanish force from the island of Cuba was invading Mexico. I read from the letter a passage going to show that it was within the knowledge of this Government that Mexico was then in a distressed situation, and that it might be charged upon us that we took advantage of that state of things to press our application for the purchase of a part of her territory; but disavowing, in the strongest terms, every thing like such a design. I entreated members of the House to read that document, as containing demonstrative proof of the duplicity which I have charged upon that Administration.

It did so happen that this letter of instructions did not arrive in Mexico till after the Mexican Government had peremptorily demanded the recall of Mr. Poinsett, and after the total failure of the Spanish invasion, which two events occurred at nearly the same time. The messenger who took out the letter was appointed *Chargé d'Affaires*, and the letter, being transferred to him in his new character, became the standing instruction of the United States diplomatic functionaries near that Government. In that letter, among other arguments in favor of the cession of Texas, is stated the fact that large numbers of the citizens of the United States were rushing into that territory, obtaining grants of land, with the purpose of exciting an insurrection of the province against the Mexican Government, and that this design had been cherished for years.

This fact was adduced, I say, in a letter bearing date the 25th of August. 1829, and urged as one of many arguments in favor of the cession. Now, it is a matter of notoriety that at that time there were large numbers of American citizens, particularly from the Western States, engaged in that laudable occupation. I believe that you, sir, as a citizen of Tennessee, may be as well acquainted with what I am now stating as any other individual in this House, or, perhaps, in this country; and I may, without hazard of contradiction, state, that in the State of Tennessee there existed great numbers of such speculators; and, further, that they had great influence with the then head of the Executive Government. I believe that this despatch may, in a great degree, be referred to the influence of those speculators, whether persons remaining in the United States and sending others out, or whether themselves going as adventurers into Texas.

I must add that this state of things was well understood in Mexico at that time. That it was, is evident from the report laid before the Mexican Congress in 1829, by the then Secretary of State, an extract of which I will now read to the House:

"The North Americans commence by introducing themselves into the territory which they covet, on pretence of commercial negotiations, or of the establishment of colonies, with or without the assent of the Government to which it belongs. These colonies grow, multiply, become the predominant part in the population; and as soon as a support is found in this manner, they begin to set up rights which it is impossible to sustain in a serious discussion, and to bring forward ridiculous pretensions, founded upon historical facts which are admitted by nobody, such as La Salle's Voyages, now known to be a falsehood, but which serve as a support, at this time, for their claim to Texas. These extravagant opinions are for the first time presented to the world by unknown writers; and the labor which is employed by others in offering proofs and reasonings, is spent by them in repetitions and multiplied allegations, for the purpose of drawing the attention of their fellow-citizens, not upon the justice of the proposition, but upon the advantages and interests to be obtained or subverted by their admission.

"Their machinations in the country they wish to acquire are then brought to light by the appearance of explorers, some of whom settle on the soil, alleging that their presence does not affect the question of the right of sovereignty or possession of the land. These pioneers excite by degrees movements which disturb the political state of the country in dispute; and then follow discontents and dissatisfaction calculated to fatigue the patience of the legitimate owner, and to diminish the usefulness of the administration and of the exercise of authority. When things have come to this pass, *which is precisely the present state of things in Texas*, the diplomatic management commences. The inquietude they have excited in the territory in dispute, the interests of the colonists therein established, the insurrection of adventurers and savages instigated by them, and the pertinacity with which the opinion is set up as to their right of possession, *become the subjects of notes, full of expression of justice and moderation*, until, with the aid of other incidents which are never wanting in the course of diplomatic relations, the desired end is attained of concluding an arrangement onerous for one party, as it is advantageous to the other.

"It has been said further, that when the United States of the North have succeeded in giving the predominance to the colonists introduced into the countries they had in view, they set up rights, and bring forward pretensions founded upon disputed historical facts, *availing themselves generally, for the purpose, of some critical conjuncture to which they suppose that the attention of Government must be directed*. This policy, which has produced good results to them, they have commenced carrying into effect with Texas. The public prints in those States, including those which are more immediately under the influence of their Government, are engaged in discussing the right they imagine they have to the country as far as the Rio Bravo. Handbills are printed on the same subject, and thrown into general circulation, whose

object is to persuade and convince the People of the utility and expediency of the meditated project. Some of them have said that Providence had marked out the Rio Bravo as the natural boundary of those States, which has induced an English writer to reproach them with an attempt to make Providence the author of their usurpations : but what is most remarkable is, that they have commenced that discussion precisely at the same time they saw us engaged in repelling the Spanish invasion, believing that our attention would, for a long time, be thereby withdrawn from other things."

There is an extract to be compared with the letter of instructions from Mr. Van Buren of the 25th August, 1829, which I have referred to, and with the offer made at the same time to purchase the province of Texas. The one is a commentary upon the other ; and the two, taken together, furnish full demonstration of the truth of the charge that there has been, on our part, towards the Mexican Government, a series of duplicity and hostility, accompanied by a secret design to wrest from her possession a portion of her territory. I entreat gentlemen to compare these documents ; to examine them ; and to see the gross duplicity which is even avowed in one paragraph of this paper, and which, though less openly, pervades the whole of it.

I shall now present to this House, and to the country, a document which is not of a public nature. But, before doing so, I must refer to a letter from Dr. Mayo, a confidential officer of the Administration, to President Jackson, dated the 2d of December, 1830, one year after the date of the instructions I have read to the House. It begins thus :

"To Gen. ANDREW JACKSON, *President of the United States* :

"The enclosed is the scheme of a secret alphabet, in the handwriting of ———, which came into my possession in the manner hereinafter mentioned, and which I confide to your excellency, together with the following statement of facts, to be used in any way your excellency may deem proper. Written out, the alphabet stands thus : [Here follows an engraving explaining the cipher alphabet referred to.]

"Some time in the month of February last, as nearly as I can recollect, certainly very shortly after Gen. Samuel Houston arrived in this city, I was introduced to him at Brown's Hotel, where both of us had taken lodgings. Our rooms were on the same floor, and convenient for social intercourse ; which, from the General's courteous manners, and my own desire to be enabled to do him justice, in my own estimation, relative to his abandoning his family and abdicating the Government of Tennessee, readily became frequent and intimate. Upon what he, perhaps, deemed a suitable maturity of acquaintance, he spoke freely and minutely of his past history. He spoke of his separation from Mrs. H. with great sensibility, and deprecated the injurious opinion it had made upon a considerable portion of the public mind, disparaging the *sanity* of his intellect, or rectitude of his moral character. Judging favorably, no doubt, of the progress of our acquaintance, and the prepossessing impression it had made on me in relation to the salubrity and general competency of his intelligence, with rectitude of impulses, he complained of the inadequate defence volunteered in his behalf by the editor of the Richmond Enquirer, and solicited me to write communications for the columns of that paper, and use my friendly interest with the editor for their publication. I promised to make a sketch of something anonymous respecting my favorable impressions, and show it to him. But before I had time or full pliancy of mind to digest any thoughts upon the subject, our frequent interviews, and his confidence in my serving his ends, doubtless, induced him to avow to me more particularly the ground of his solicitude to have his character and mental competency elevated before the public. He descanted on the immense field for enterprise in the Indian settlement beyond the Mississippi, and through that, as a stepping-stone, in Texas ; and recommended me to direct my destinies that way. Without making any promises or commitments, I did not discourage, at this stage, his inflated schemes for my advancement, as I had a curiosity, now on tip-toe, to hear his romantic projections, for his manner and his enthusiasm were at least entertaining. Accordingly he went on to develop much of a systematic enterprise, but not half what



I have since learnt from another source; perhaps because he discovered that my interest in the subject did not keep pace with the anticipations he had formed for the progress of his disclosures. I learnt from him these facts and speculations, viz:

"That he was organizing an expedition against Texas; to afford a cloak to which, he had assumed the Indian costume, habits, and associations, by settling among them, in the neighborhood of Texas. That nothing was more easy to accomplish than the conquest and possession of that extensive and fertile country, by the co-operation of the Indians in the Arkansas Territory, and recruits among the citizens of the United States. That, in his view, it would hardly be necessary to strike a blow to wrest Texas from Mexico. That it was ample for the establishment and maintenance of a separate and independent Government from the United States. That the expedition would be got ready with all possible despatch; that the demonstration would and *must* be made in about twelve months from *that time*. That the event of success opened the most unbounded prospects of wealth to those who would embark in it, and that it was with a view to facilitate his recruits, he wished to elevate himself in the public confidence by the aid of my communications to the Richmond Enquirer. That I should have a surgeency in the expedition, and recommended me in the mean time to remove along with him, and practise physic among the Indians in the territory."<sup>a</sup>

There is much more to the same general effect; but as these documents are all contained in a printed pamphlet which is accessible to all, and has been some time in print, I forbear to read further. But the paper I am now about to read is not in print. It is a letter from the late President of the United States to William Fulton, Esq. then Secretary of the Territory of Arkansas, and the endorsement upon it shows that a similar letter was addressed to the United States District Attorney in Florida. The paper I hold in my hand is a copy. I have seen the original, in the handwriting of Gen. Jackson; it is now in this city, and can be seen by any gentleman who has a curiosity to examine it.

"(STRICTLY CONFIDENTIAL.)"

"WASHINGTON, December 10, 1830.

"DEAR SIR: It has been stated to me that an extensive expedition against Texas is organizing in the United States, with a view to the establishment of an independent Government in that province, and that Gen. Houston is to be at the head of it. From all the circumstances communicated to me upon this subject, and which have fallen under my observation, I am induced to believe and hope (notwithstanding the circumstantial manner in which it is related to me) that the information I have received is erroneous, and it is unnecessary that I should add my sincere wish that it may be so. No movements have been made, nor have any facts been established, which would require or would justify the adoption of official proceedings against individuals implicated; yet so strong is the detestation of the criminal steps alluded to, and such are my apprehensions of the extent to which the peace and honor of the country might be compromised by it, as to make me anxious to do every thing short of it which may serve to elicit the truth, and to furnish me with the necessary facts (if they exist) to lay the foundation of further measures.

"It is said that enlistments have been made for the enterprise in various parts of the Union; that the confederates are to repair, as travellers, to different points of the Mississippi, where they have already chartered steamboats in which to embark; that the point of rendezvous is to be in the Arkansas Territory, and that the co-operation of the Indians is looked to by those engaged in the contemplated expedition.

"I know of no one whose situation will better enable him to watch the course of

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\*[Copy of endorsement on the above by the President.—"Dr. Mayo,—on the contemplated invasion of Texas,—private and confidential,—a letter to be written (confidential) to the Secretary of Arkansas, with a copy of confidential letter to Wm. Fulton, Esq., Secretary to the Territory of Florida."]

things, and keep me truly and constantly advised of any movements which may serve to justify the suspicions which are entertained, than yourself, and I know I can rely with confidence on your fidelity and activity. To secure your exertions in that regard, is the object of this letter, and it is because I wish it to be considered rather as a private than an official act, that it is addressed to you instead of the Governor, (who is understood to be now in Kentucky.)

"The course to be pursued to effect the object in view must of necessity be left to your discretion, enjoining only that the utmost secrecy be observed on your part. If, in the performance of the duty required of you, any expenses are necessarily incurred by you, I will see they are refunded.

"I am, respectfully, yours,

"ANDREW JACKSON.

"WM. FULTON, Esq."

This was written in December, 1830. I adduce it as demonstrative proof that the President of the United States was then perfectly and fully informed of a design on the part of our citizens to produce an insurrection in Texas for the purpose of separating that Territory from the republic of Mexico, and that the President considered the enterprise as highly criminal, and such as called upon him to arrest its progress, and prevent its accomplishment.

It will be recollected that I called some time since upon the Department of State to know if any copy of such a letter was on the files of that Department, and the reply sent to this House was, that there was no such document there. I infer from that fact that this letter, though written, never was sent. And why not sent? I believe that it was the will and intention of the President, at that time, to make the interposition contained in this letter. What inference must be drawn from the fact of its never having been sent, if such, indeed, was the fact? It is not in my power to explain this whole matter. The letter, however, exists. I have seen it: and I aver that the whole letter from beginning to end, together with its endorsement, is in the handwriting of General Jackson. The original letter of Dr. Mayo to the President, on which this was written, I have also seen: and any member of the House who feels curiosity on the subject, may have an opportunity of examining both letters. Now, how is this to be explained? That the letters were written is beyond dispute. That this is endorsed "strictly confidential," is equally indisputable; and the letter itself discloses, on the part of the President, his knowledge of a conspiracy which he considered highly criminal, and of which he expressed his "detestation." Is it not demonstrative proof of that duplicity which pervaded every part of the course of the late Administration in regard to Mexico, that there does exist such an autograph letter of the late President, and that, so far as appears, it was never sent? If it was sent, the persons are living who can prove it. The gentleman to whom the letter was written is, I believe, now in this city. The Secretary of the Territory of Florida is yet living. If both letters were sent, the fact may be proved. And if they were, then, surely, it is very incumbent on those who received them to prove what they did in regard to this foul conspiracy.

[Mr. HOWARD here asked leave to interpose. The honorable gentleman from Massachusetts said he has read to the House a document stated by him to be a strictly confidential letter of the late President of the United States, and has expressed his belief that the letter never had been sent. Will it now be in order for me to inquire of that gentleman how he got possession of such a document.

The **SPEAKER** replied, that if the gentleman from Massachusetts chose to yield the floor for that purpose, the question might be put, but not as a question of order, to be put by authority of the House.]

**Mr. ADAMS.** I understand the Speaker to have decided that such an inquiry is not a question of order, but that it is competent to the gentleman to introduce it with my assent. The gentleman has my assent, and if he does make the inquiry, I am ready to give a full, clear, and explicit account how this paper came into my hands. Most certainly I have not produced it here without first ascertaining the strict propriety and even delicacy of such a step. If the gentleman thinks proper to put his inquiry in a written form, so that it shall go on the Journal, and that a vote of the House may be had upon it, I am ready to answer in a manner that I hope will be perfectly satisfactory. Sir, this letter interests more than that gentleman and me. It interests more than the members of this House. Yes, sir, more than the people of this nation. The gentleman is not mistaken in the importance which he attributes to this document, and which is implied in the question he has just put to the Chair; and I again say to him that I am prepared to give a full and explicit account of how it came into my possession.

[Mr. H. did not put the question.]

**Mr. A.** continued. And now to return to the present argument. I have produced and read this letter in order to show that in December, 1830, the President of these United States was duly informed of the existence of a conspiracy for invading Texas, producing a revolution in that province, and ultimately separating it from the Republic of Mexico, of which it constituted an integral part, and that the whole design was conducted under the command of the individual who is now President of Texas.

I hope the gentleman from Maryland [Mr. HOWARD] will have a full opportunity of replying to and commenting upon what I have been urging on the attention of this House for the last fortnight, if not at the present session, at least at the next; for, sir, this subject has as yet been barely opened. Tedious as my argument may have appeared to many, instead of amplifying it, I have, on the contrary, been obliged to abridge three fourths of what I desired to say, and of what ought to be said on the various topics touched upon. But I was aware that sufficient time could not be allowed me at the present session. I do hope, however, that we shall never more hear of the gag, and that, at the next session, ample time and opportunity will be given for every gentleman to express his opinions on all the topics which shall be reported to us from the Committee on Foreign Affairs. I have adduced these documents simply as proofs of the existence of both duplicity and hostility on the part of this Government toward Mexico, and that from the commencement of the last Administration. We have come down as far as the close of the year 1830. I have read to the House a report of the Mexican Secretary of State, made to the Mexican Legislature during the very time in which General Houston is said to have been engaged in that conspiracy to which the President's letter alludes; and in which report the conspiracy is shadowed forth in all the particularities of its progressive development. All this time, be it remembered, our Chargé near the Mexican Government was charged in a letter of instructions to propose a

cession of Texas to the United States ; to urge that proposition with all his influence, and to back it by an offer of five millions of dollars. And at the same time he was charged with the negotiation of a treaty of commerce, and for the purpose of carrying into effect the boundary line agreed upon in our former treaty with Spain. The House has seen that the Legislature of Mexico, having, in consequence of these proceedings, its suspicions very much roused in regard to the views and purposes of this Government, refused to sign the treaty of commerce unless an article should be introduced into it recognising the line marked out in our Spanish treaty as the boundary line between Mexico and the United States. Such an article was accordingly introduced, and the commercial treaty was concluded by Mr. Poinsett, in 1828. But, owing to those delays which frequently happen in matters of this description, that treaty was not ratified in time. Whereupon, Mr. Butler was charged in his instructions to reconclude the same treaty, which he did in 1831 and '32, and in it the same article was inserted, establishing the boundary line as agreed upon in 1819.

[Here the morning hour expired, and Mr. ADAMS, without concluding his remarks, resumed his seat.

The subject, of course, lies over until the next session, Mr. ADAMS being entitled to the floor.]

## SUPPLEMENT.

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In the National Intelligencer of the 21st of July, 1838, there was published a letter to the editors from Colonel Benjamin C. Howard, chairman of the late Committee on Foreign Affairs, to which are annexed the letter from himself to William S. Fulton, Esq., inquiring whether he had received the letter from the late President Andrew Jackson, of 10th December, 1830, which had been read by me in the House of Representatives, and Mr. Fulton's answer acknowledging that he had received that letter some time in the month of January, 1831. These last two letters Mr. Howard put into my hands, with a request that I would communicate them to the House, which I should have done had I been permitted to address the House again on that subject after receiving them. They are now republished, together with the letter from Colonel Howard to the editors of the National Intelligencer, as forming a natural supplement to that unfinished debate.

### TO THE EDITORS OF THE NATIONAL INTELLIGENCER.

Your paper of this morning (July 19th) announces that you have finished Mr. Adams's speech, which occupied so many morning hours, as you say that "Mr. Adams, without concluding his remarks, resumed his seat. The subject, of course, lies over until the next session, Mr. Adams being entitled to the floor."

My purpose at present is not to complain that no member of the Committee on Foreign Affairs had an opportunity of replying to the numerous and heavy charges which Mr. Adams brought against that committee, nor to state what would have been the substance of my defence of myself and the rest of the committee, if a few moments could have been found, under the rules of the House, for that purpose. To Mr. Adams's complaints of having suffered under the operation of what he calls the "gag-law," when at that very time he was attacking the committee, day after day, without a chance being afforded to them of uttering a syllable in their own vindication, I would reply in the language of the Emperor of Mexico, who was stretched by the Spanish commander upon a bed of burning coals, with one of his companions, whose cries and complaints were loud, and whom the Emperor rebuked by saying, "Do you think that I lie here upon a bed of roses?"

Passing by the many errors contained in this speech, as far as it relates to the opinions or conduct of the Committee on Foreign Affairs, I only mean to request you to publish the two enclosed letters. I placed them in the possession of Mr. Adams, on the day when his speech ceased, with a request that he would read them when he resumed the floor. I believe he would have done so, but on Monday, the last day of the session, the Speaker of the House decided that it was not in order for the discussion to continue.

On the preceding Saturday, Mr. Adams read a confidential letter of General Jackson to the Hon. Wm. S. Fulton, then Secretary of Arkansas, and dwelt much upon his belief that, although written, it was never sent. He is reported to have said:

"Is it not demonstrative proof of that duplicity which pervaded every part of the course of the late Administration in regard to Mexico, that there does exist such an autograph letter of the late President, and that, so far as it appears, it was never sent? If it was sent, the persons are living who can prove it," &c. &c.

Having obtained from Mr. Adams the letter which he read, I enclosed it to Gov-

ernor Fulton, (now a member of the Senate of the United States,) and received the answer which I send to you. When I inquired upon the floor of the House how the letter came into the possession of Mr. Adams, I understood him to reply, that if the House, by a vote, would call for the information, he would cheerfully give it. But from that moment until the end of the session there was no opportunity of moving for a vote of the House, nor do I know that I would have renewed the inquiry in that way, if there had been a propitious moment. When you say, therefore, that "Mr. H. did not put the question," I beg that it may be understood that I considered a reference to "a vote of the House" by Mr. Adams, as putting it out of my power to press the question further, and not from a disinclination to learn how the "strictly confidential" letters of General Jackson, or any other man, came to be read in the House, and then printed.

Respectfully yours,

BENJ. C. HOWARD.

HOUSE OF REPRESENTATIVES, *July 7, 1838.*

SIR: The enclosed letter was read by Mr. Adams in the course of his speech this morning, and I understood him to say that it was not sent.

As the inference which may be drawn from this will probably be, that General Jackson did not seriously entertain, or intend to act upon, the principles avowed in this letter, may I ask you to say whether or not you received the original, of which the enclosed is a copy?

Respectfully yours,

BENJAMIN C. HOWARD.

Hon. WM. S. FULTON.

SENATE CHAMBER, *July 7, 1838.*

SIR: I have this moment received yours of this date, and for answer have the honor to state that the original letter, a copy of which you have submitted to my inspection, was received by me some time in the month of January, 1831. The original letter is now with my papers at home, in Arkansas, and on my return it is my intention to look for it, and either send it to the State Department, or bring it with me on my return here next fall. From my recollection of the contents of the letter, I feel satisfied that the enclosed is a true copy.

This was a matter strictly confidential, and all my proceedings under it were secret.

Under my instructions I diligently made the inquiries required, and communicated the result to the President.

I am, respectfully, your obedient servant,

WM. S. FULTON.

Hon. BEN. C. HOWARD.

The notoriety with which the conspiracy for the dismemberment of the Mexican Republic was pursued, from its incipient stage to its final consummation, not only in the Territory of Arkansas, but in all the Southwestern States, and nowhere with more indecent publicity than in the State of Tennessee, and at Nashville, by the most devoted partisans of General Jackson; the sluggish indifference with which the complaints of the Mexican Government upon this subject were treated by his Administration; the voracious appetite for Texas betrayed by the negotiation simultaneously pressed upon the extreme need of Mexico for the acquisition of that province by purchase; and the mystery of withholding from Congress all knowledge of this negotiation, while it was known to all the world besides, had raised strong and well-founded suspicions of the *sincerity* of the political intercourse between the late Administration and the Government of Mexico. Those suspicions had even been made public as early as the year 1829 by the report of the Mexican Secretary of State to the Legislature, precisely contemporaneous with the instructions from Mr. Van Buren to Mr. Poinsett to take advantage of the distressed

and invaded condition of Mexico to offer five millions of dollars for Texas. At a later period, when a grave and solemn complaint of the unfriendly and equivocal conduct of the North American Administration towards Mexico, had been addressed directly from the Mexican to our own Secretary of State; when a new question of disputed boundary had been suddenly started in vague and indefinite language, by a note of Mr. Anthony Butler to the Mexican Government; when a solemn diplomatic mission of the highest order sent from Mexico to Washington to complain of these ambiguous givings out, and these hostile practices, had been met with smooth words and an *inadvertent* disclosure to Congress, and thereby to the Mexican Envoy, of the authority given to General Gaines to invade the Mexican territory, at the very moment of her sharpest contest with the Texian insurrection, it was impossible for an attentive observer not to perceive the *duplicity* which, for the first time since the existence of the United States, had crawled into their councils, and coiled herself in the seat of their highest power. This perversion of moral principle, this debasement of national morals, at the summit of the organized authority of the Union, had forced itself upon my notice by its internal evidence before the original letter from the late President to the *Secretary* of the Territory of Arkansas had been exhibited to my inspection, or the copy of it furnished me, with permission to make such use of it as I should think proper.

Mr. Fulton says that this was a matter strictly confidential, and that all his proceedings under it were secret.

Strictly confidential! yes! so confidential that it was reserved from the knowledge of the Governor of the Territory, upon allegations not conformable to the fact. The Governor was not then in Kentucky, but at his post in Arkansas; and although the letter was not official, but confidential, it was to *him* that, in the course of a straight-forward and honest policy, the instructions should have been addressed, and not to the Secretary.

All Mr. Fulton's proceedings under the instructions were secret! yes! so secret that he discovered nothing, of which the President could or would avail himself, to counteract or defeat the conspiracy against the integrity of the neighboring Republic. He "diligently made the inquiries required, and communicated the result to the President." What that result was it might be edifying to know, but the event has shown that the conspirators had nothing to fear from it. Perhaps there may have been some secret sympathy between the inquiries of Mr. Fulton, and a publication about that time in the Arkansas Gazette, of which the following is one paragraph:

"Colonel Butler, the *Chargé d'Affaires* of the United States to Mexico, was specially authorized by the President to treat with that Government for the purchase of Texas. The present predominant party are decidedly opposed to the ceding any portion of its territory. No hope need therefore be entertained of our acquiring Texas until some other party more friendly to the United States than the present shall predominate in Mexico, and *perhaps* not until the people of Texas shall throw off the yoke of allegiance to that Government, which they will do, no doubt, so soon as they shall have a reasonable pretext for doing so."

From the answer of the Department of State to the call of the House of Representatives of the 5th of January, 1838, for a copy of this letter from the late President to Mr. Fulton, that no such letter was found on the files of the Department—from the fact that the letter itself, though purporting to be a copy, was an original, in the handwriting of the President, and signed with his name—from the notorious fact that the Texian conspiracy had been aided and supported, from the Territory of Arkansas, as openly as in Tennessee, without interruption or rebuke either from the Territorial or the Federal Government, and especially from the extraordinary countenance given by the President eighteen months afterwards to General Houston at Washington, while he was assaulting and maiming, in the darkness of night, in a street of that city, a member of the House of Representatives of the United States—I could not believe that this letter to Mr. Fulton had ever been sent, and having some experience of the frailty of the writer's memory upon subjects relating to Texas, I was not without expectation that he would, upon suitable inquiry, not recollect that he had ever written such a letter; an easy consequence from which would have been another charge against me in the *Globe* and *Richmond Enquirer* of fraud and forgery, as fair and as true as that on the conference between General Jackson and me, at the conclusion of the Florida treaty, or as that of the memorable substitution of the semicolon for the comma.

The acknowledgment of Mr. Fulton that he did receive the letter shortly after it was written, and that he complied with its instructions, by *secret* measures, the result of which he communicated to the President, removes all possible question of the authenticity of the letter—as the letter itself removes all possible question of the late President's full knowledge of the conspiracy, with General Samuel Houston at its head, for the dismemberment of the Mexican Republic, as early as December, 1830. It removes all doubt, also, of the light in which he professed to consider it—as an atrocious conspiracy against the peace and integrity of a neighboring Republic, which he, as the Chief Magistrate of this Union, was bound in duty to detect, to expose, and to suppress, by all the lawful and official means in his power. With this knowledge, and with these sentiments, how is the history of his subsequent intercourse with Mexico, with Texas, and with General Samuel Houston, to be reconciled? The perpetual teasing of the Government of Mexico for cessions of territory, increasing in amount in proportion as the proposals were repelled with disgust; the constant employment of agents, civil and military, for all official intercourse with Mexico and Texas, citizens of States most intensely bent upon the acquisition of Texas, such as Anthony Butler, Fowhatan Ellis, and General Gaines; the uninterrupted intimacy with General Houston, from the egg to the apple of the Texian revolt; the promise to Hutchins G. Burton, of the Government of Texas; the wanton, unprovoked, and unconstitutional discretionary power given to General Gaines to invade the Mexican territory; the apparent concert between that officer, in the execution of this authority, with the Texian Commanding General Houston; the cold indifference to every complaint on the part of Mexico, against all the violations of our obligations of amity and of neutrality towards her; the disingenuous evasion of a direct answer by the wooden-nutmeg distinction that a di-



rection not to go beyond Nacogdoches was not equivalent to an authority to go as far as Nacogdoches; the contemptuous treatment of all the complaints of the Mexican Minister, Gorostiza, and the preposterous importance attempted to be given to his printing a pamphlet in the Spanish language, exposing the bad faith of this Government in their treatment of his mission, and circulating a few copies of it before his departure from this country. In all these things there is a mutual coincidence and coherence which makes them perpetual commentaries upon each other.

But the crowning incident of all is the thundering war message of the late President of the United States to Congress, of the 7th of February, 1837, with the *assenting* reports upon it, at the very heel of the session, by the committees of both Houses of Congress; and, last of all, the echo of the martial trumpet in the message of the present President at the commencement of the late session. In this last message was the strange and unwarranted assertion, that from the proceedings of Congress, on the recommendation of his predecessor in the message of 7th of February, it appeared that the opinion of both branches of the Legislature coincided with that of the Executive—that *any mode of redress known to the law of nations might justifiably be used*.

No such opinion had been manifested by the House of Representatives. The blast of war had indeed reverberated from the complacent report of their Committee on Foreign Affairs, but that report was never taken up for consideration in the House, nor was the resolution with which it closed adopted by the House.

An appropriation was, indeed, at five o'clock in the morning of one of the last days of the session, at the motion of the chairman of the Committee on Foreign Affairs, foisted into the general civil and diplomatic appropriation bills "for an outfit and salary for an Envoy Extraordinary and Minister Plenipotentiary to Mexico, whenever, in the opinion of the Executive, circumstances will permit a renewal of diplomatic intercourse honorably with that Power, eighteen thousand dollars."

And that same chairman of the Committee on Foreign Affairs was, at the late session of Congress, reduced to the necessity of citing this appropriation, thus obtruded by himself upon the sleeping vigil of the House in the last agonies of an expiring Congress, as warranting the assertion of the present President, that the two Houses of Congress had concurred in opinion with his predecessor, that on the 7th February, 1837, a declaration of *war* against Mexico by the United States would have been *justifiable*.

An appropriation for a Minister of Peace, is, to be sure, marvellous evidence of the opinion that a resort to *war* would be justifiable! But, was there no other evidence of this coincidence between the Executive and the House of Representatives, with regard to the question of peace and war between the United States and Mexico? Oh! yes, the report of the same Committee on Foreign Affairs recommended a last solemn appeal to the justice of Mexico, by a diplomatic mission of the highest rank, and the appropriation for such a mission was accordingly made.

And on that same night, the nomination of the Minister was sent to the Senate, and confirmed by the advice and consent of that body.

And who was this Minister of Peace, to be sent with the last drooping twig of olive, to be replanted and revived in the genial soil of Mexico?

It was no other than Powhatan Ellis, of Mississippi, famishing for Texas, and just returned in anger and resentment from an abortive and abruptly terminated mission to the same Government, in the inferior capacity of *Chargé d'Affaires*. His very name must have tasted like wormwood to the Mexican palate; and his name alone seems to have been used for the single purpose of giving a relish to these last resources of pacific and conciliatory councils. His appointment seemed at least to harmonize with the recommendation of the Committee on Foreign Affairs, for it was to a mission of the highest rank in our diplomatic dictionary. But though appointed, he was not permitted to proceed upon his embassy. He was kept at home, and in his stead was despatched a courier of the Department of State, with a budget of grievances, good and bad, new and old, stuffed with wrongs, as full as Falstaff's buck basket with foul linen, to be turned over under the nose of the Mexican Secretary of State, with an allowance of one week to examine, search out, and answer concerning them all.

It is impossible to speak of the conduct of our Government towards Mexico, with the gravity which the great principles and vital national interests involved in it would require. There are large and serious causes of complaint, and just claims of indemnity by citizens of the United States against that Government, abandoned and sacrificed by our own, upon the most frivolous pretences of offended dignity, and repeated ruptures of negotiation without rhyme or reason. From the day of the battle of San Jacinto, every movement of the Administration of this Union appears to have been made for the express purpose of breaking off negotiation and precipitating a war, or of frightening Mexico by menaces into the cession of not only Texas, but the whole course of the Rio del Norte, and five degrees of latitude across the continent to the South Sea. The instruction of 21st July, 1836, from the Secretary of State to Mr. Ellis, almost immediately after the battle, was evidently premeditated to produce a rupture, and was but too faithfully carried into execution. His (Ellis's) letter of 20th October, 1836, to Mr. Monasterio, was the premonitory symptom; and no true-hearted citizen of this Union can read it, and the answer to it on the next day by Mr. Monasterio, without blushing for his country. This was the initiatory step, followed up by Mr. Ellis till he demanded his passports and came home. And instantly after his return, came the war message of 7th February, 1837. In the mean time, the Mexican *Chargé d'Affaires* at Washington (Castillo) had, of course, and necessarily, been recalled by his Government, in consequence of the hostile departure of Mr. Ellis. The Mexican Envoy Extraordinary (Gorostiza) had been driven away by the cold and insulting refusal of satisfaction, or even of plausible reasons for the invasion of the Mexican territory by General Gaines. A courier of the Department of State, was afterwards sent to draw the circle of Popilius round President Bustamente; and no sooner had another Envoy Extraordinary and Minister Plenipotentiary from Mexico set his foot in Washington, than he was insulted off to New Orleans, by a paragraph in the annual message of the President of the United States to Congress, spurring that body to war, and telling them that negotiation was exhausted, and that *they* must provide self-redressing measures for the rights of their fellow-citizens, which he, the Executive Administration, was no longer able to maintain.

But the *duplicity*, which I have charged upon the late and present Administrations of our Government, in the conduct of our national intercourse with Mexico and Texas, has not only been signalized by its bearing upon those foreign States, but it has been practised with equal assiduity upon the People of this Union themselves. It was practised by the seditious trickery, which smuggled through both Houses of Congress, against the repeatedly declared sentiments of a large majority of the House of Representatives, in the form of a *contingent* appropriation for a Minister, the recognition of the Republic of Texas. It has been practised by the long-protracted suppression of all debate in both Houses, most especially in the House of Representatives, concerning our relations with Mexico, and above all with regard to the annexation of Texas to this Union. The systematic smothering of all petitions against this measure, extended to the resolutions of seven State Legislatures, could have no other intention than to disarm the resistance against it which was manifesting itself throughout all the slaveless States of the Union. It was distinctly seen that if a full, free, and unshackled discussion of the question in the House of Representatives should be permitted, its issue would show an overwhelming majority against the measure at this time.

In no stronger light was this double-dealing ever disclosed than in the treatment of the petitions, memorials, and legislative resolutions, relating to the annexation, referred by the House to the Committee on Foreign Affairs, and never looked into by them. The chairman of the committee actually charged the House with *inadvertence* in referring to the committee the petition from Lubec. He maintained that the subsequent reference of all the State resolutions, and all the petitions, had been contrary to the declared opinions of a large majority of the House, and he lamented that the motion to lay on the table, or the motion for the previous question upon the report of the committee, did not prevail. He represented the answer of the Secretary of State to the proposals of Mr. Memucan Hunt, as a prompt, positive, and irrevocable refusal; yet, what were the objections alleged by the Secretary against the acceptance of the offer? A war with Mexico; and a *doubt* just hinted of the constitutional *power* of Congress. But two Presidents of the United States had, for the last eighteen months, been goading Congress into a war with Mexico, and the chairman of the committee himself declared that he thought, with the precedents of Louisiana and Florida, there was no room for the constitutional *doubt*; he, too, had been among the most eager and inveterate stimulants to a Mexican war, and if it was true, as two Presidents had assured Congress, and as the chairman himself had responded in choral unison to the assertion, that a declaration of war by the United States against Mexico would have been *justifiable* in February, 1827, what objection could that leave to the acceptance of the proposal for Texas in September of the same year? Nothing but the constitutional *doubt*, and of that the chairman of the committee had disposed by declaring, with great equanimity, that in his opinion *there was nothing in it*.

In his publication of the 21st of July, (Colonel Howard's,) replying to my indignant remonstrances against the thrice-repeated *gag*, and complaining that he and his colleagues of the Committee on Foreign Affairs had not enjoyed the opportunity of refuting on the floor of the House

the "many errors" of my speech, assimilates, with extreme felicity of illustration, his unhappy condition to that of the Mexican Emperor Guatimozin, stretched with one of his favorite courtiers on the rack of burning coals, by the ruthless Spaniard, to extort the disclosure of his treasure, and responding to the shrieking supplications of his fellow-sufferer by the question, "*and am I on a bed of roses?*"—and truly I do believe that he is not. But if my lamentations under the torture of the strangled freedom of speech, in the common assembly where he and I, with others, our peers, represent the whole North American People, call for relief and deliverance upon him, his answer that he is suffering equal torture himself, differs somewhat in its application from that of the Mexican Sovereign. It was not by *his* tyranny and cruelty that his favorite and himself were stretched at once on the beds of burning coals; they were both victims of one and the same Russian conqueror. If *he* could have rescued his friend and dependant from the flames, there would have been no cause for his exclamation; which was indeed but an emphatic declaration that he could not. To my liege lord, therefore, the Guatimozin of the late Committee on Foreign Affairs, I reply, that smarting as he now does upon the burning coals, of a casual and momentary interdict upon his right and privilege of speech in the Representative Hall of the Union, I trust he will never more, as principal or as accessory, stuff the gag into the mouths of his fellow-members of the House, or his own; that he will vote for no more resolutions to strangle the right of the People to petition, and the freedom of debate in the House; and that, notwithstanding his antipathy to female anti-Texas and anti-slavery petitioners, he will follow the example of a woman and Queen of ancient days, who by her own sufferings had learnt to relieve the sufferings of others.

*"Non ignara mali, miseris succurrere disco."*

As for myself, I can assure him that neither he, nor his colleagues of the committee, nor the members from South Carolina, one and all, burning with thirst for the blessing of Texas and reinstituted slavery, regretted more than myself that they had not time and opportunity, to the utmost extent of their wishes, to answer me, and refute and expose as far as they were able the "many errors" of my speech. I entertain, however, an earnest wish and fervent hope that such time and opportunity will be amply afforded to them all at the next session of Congress, and that neither then, nor at any other time, will the law of slavery be ever again repeated in the assembly of the People of this Union in the shape of the tranquillizing gag of Pinckney and Patton.

At that session too I indulge the hope of an opportunity to complete the demonstration that there is not, and never has been, a moment in the relations between these United States and Mexico, when a resort on our part to war, or to any hostile act against that nation, would be, or have been, *justifiable* in the sight of God or man; and if, in the course of that demonstration, it shall again become my painful duty to show that whatever may have been the wrongs of Mexico towards individual citizens of the United States, (and far be it from me to justify or palliate them,) the balance of wrong, great and grievous wrong, is against our own Government, and that Mexico, with regard to the United States, is far more sinned against than sinning. If, too, in that discussion, a paramount obli-

gation of duty to my country shall compel me to scan with scrutinizing eyes, not only the omissions, but the acts of the Committees on Foreign Affairs of the House of Representatives down to their lingering report on our relations with Mexico, presented almost at the last hour of the late session of Congress, let the chairman of those committees not fear that I intend to stretch him again on the burning bed of Guatimozin. My intent, my sole intent, is, by the power of truth, of justice, and of ripening public opinion, to bring back him and the Administration to which he adheres, to the path of honor, of honesty, and of peace. To the path of Washington, and of Madison; for departing from that path in the ignis fatuus chase of Texas and reintegrated slavery, I have arraigned them before the tribunals of the civilized world, and of posterity. They are upon their defence; and it is too late to bid them God speed for a good deliverance. They must retrace their steps; they have broken off all diplomatic negotiation with Mexico, and they have negotiated still. They have recalled without sufficient cause all their diplomatic functionaries at Mexico, and they have spurned from them the Mexican Ambassadors of Peace at Washington. They have accepted a proposal of arbitration for the settlement of the disputes between the two nations, and yet the President has refused to withdraw his war-whoop instigations to Congress; he may take my word for it, that they will be of no avail. The People of this Union will not go to war with Mexico on the false pretence of petty spoliations, and the real impulse of a craving for Texas, and the Paradise restored of SLAVERY. If the lion roar of Jackson could not rouse them to battle for an unrighteous cause, the sucking-dove roar of his successor will scarcely serve even to frighten the ladies. War then is out of the question; negotiation must be renewed, formally—fully renewed; and it must be by diplomatic agents having neither personal interests of speculation in Texian lands, nor nullification sympathies with Texian slavery. Such functionaries may indeed be despatched on the restoration of the ordinary diplomatic intercourse between the two nations; but under *their* ministration no claimant will ever obtain the restoration of his property, or indemnity for its loss.

If the Executive Administration wish at once for peace with Mexico, and for satisfaction to the just claims of their injured fellow-citizens, they must cast their lust for Texas to the winds, and demand and give satisfaction and redress in the spirit of peace.